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**CLARENDON'S**  
**HISTORY OF THE REBELLION.**



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**EDWARD HYDE, EARL OF CLARENDON.**

**OB.1674**

**FROM THE ORIGINAL OF SIR PETER LEPLA IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> THE EARL OF CLARENDON.**





THE  
HISTORY  
OF  
THE REBELLION AND CIVIL WARS  
IN  
ENGLAND,

BY  
EDWARD EARL OF CLARENDON.

ALSO,  
HIS LIFE, WRITTEN BY HIMSELF.

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A New Edition,  
ILLUSTRATED WITH FIFTY-SIX PORTRAITS.

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IN TWO VOLUMES.  
VOL. I.

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OXFORD:  
Printed at the University Press.  
SOLD BY WILLIAM SMITH, 113, FLEET STREET, LONDON.

MDCCLXIII.

Br 1820.170.4B(1)

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106  
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## LIST OF PORTRAITS.

---

EDWARD HYDE, EARL OF CLARENDON . . . . .	TITLE, VOL.	I.
CHARLES THE FIRST . . . . .	TITLE, VOL.	II.
LIONEL CRANFIELD, EARL OF MIDDLESEX . . . . .	PAGE	10
GEORGE VILLIERS, DUKE OF BUCKINGHAM . . . . .		12
RICHARD WESTON, EARL OF PORTLAND . . . . .		20
THOMAS HOWARD, EARL OF ARUNDEL AND SURREY . . . . .		22
WILLIAM HERBERT, EARL OF PEMBROKE . . . . .		24
PHILIP HERBERT, EARL OF PEMBROKE AND MONTGOMERY . . . . .		24
EDWARD SACKVILLE, EARL OF DORSET . . . . .		26
GEORGE ABBOT, ARCHBISHOP OF CANTERBURY . . . . .		36
THOMAS, LORD KEEPER COVENTRY . . . . .		52
FRANCIS RUSSELL, EARL OF BEDFORD . . . . .		102
THOMAS WENTWORTH, EARL OF STRAFFORD . . . . .		104
WILLIAM SEYMOUR, MARQUIS OF HERTFORD . . . . .		170
JOHN SELDEN . . . . .		228
ROBERT RICH, EARL OF WARWICK . . . . .		272
ROBERT BERTIE, EARL OF LINDSEY . . . . .		310
ROBERT GREVILLE, LORD BROOKE . . . . .		348
SPENCER COMPTON, EARL OF NORTHAMPTON . . . . .		350
EDWARD SOMERSET, LORD HERBERT . . . . .		352
JAMES STEWART, DUKE OF RICHMOND . . . . .		368
THOMAS WRIOTHESLEY, EARL OF SOUTHAMPTON . . . . .		370
ALGERNON PERCY, EARL OF NORTHUMBERLAND . . . . .		372
ROBERT DEVEREUX, EARL OF ESSEX . . . . .		374
EDWARD MONTAGU, EARL OF MANCHESTER . . . . .		376
WILLIAM FIELDING, EARL OF DENBIGH . . . . .		384
WILLIAM VILLIERS, VISCOUNT GRANDISON . . . . .		410



	PAGE
HENRY SPENCER, EARL OF SUNDERLAND . . . . .	428
ROBERT DORMER, EARL OF CAERNARVON . . . . .	430
LUCIUS CAREY, VISCOUNT FALKLAND . . . . .	432
RALPH, LORD HOPTON . . . . .	482
WILLIAM CAVENDISH, MARQUIS OF NEWCASTLE . . . . .	492
JOHN POWLETT, MARQUIS OF WINCHESTER . . . . .	502
GEORGE, LORD GORING . . . . .	512
WILLIAM LAUD, ARCHBISHOP OF CANTERBURY . . . . .	518
MONTAGUE BERTIE, EARL OF LINDSEY . . . . .	554
PRINCE RUPERT . . . . .	570
HENRIETTA MARIA, QUEEN OF CHARLES I. . . . .	596
LUCY PERCY, COUNTESS OF CARLISLE . . . . .	656
WILLIAM KERR, EARL OF LOTHIAN . . . . .	662
JAMES, DUKE OF HAMILTON . . . . .	700
HENRY RICH, EARL OF HOLLAND . . . . .	702
ARTHUR, LORD CAPEL . . . . .	704
WILLIAM, DUKE OF HAMILTON . . . . .	706
JOHN MAITLAND, DUKE OF LAUDERDALE . . . . .	710
JAMES GRAHAM, MARQUIS OF MONTROSE . . . . .	742
ARCHIBALD CAMPBELL, MARQUIS OF ARGYLL . . . . .	746
FRANCIS, LORD COTTINGTON . . . . .	754
JAMES STANLEY, EARL OF DERBY . . . . .	762
DAVID LESLIE, LORD NEWARK . . . . .	764
CHARLOTTE DE LA TREMOUILLE, COUNTESS OF DERBY . . . . .	766
GEORGE DIGBY, EARL OF BRISTOL . . . . .	846
JAMES BUTLER, DUKE OF ORMOND . . . . .	848
OLIVER CROMWELL . . . . .	862
GEORGE MONK, DUKE OF ALBEMARLE . . . . .	882
CHARLES THE SECOND . . . . .	908

A  
TRUE HISTORICAL NARRATION  
OF THE  
REBELLION AND CIVIL WARS IN ENGLAND,  
BEGUN IN THE YEAR 1641,

WITH  
THE PRECEDENT PASSAGES AND ACTIONS THAT CONTRIBUTED THEREUNTO.

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BOOK I.

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THAT posterity may not be deceived, by the prosperous wickedness of these times, into an opinion, that less than a general combination, and universal apostasy in the whole nation from their religion and allegiance, could, in so short a time, have produced such a total and prodigious alteration and confusion over the whole kingdom; and so the memory of those few, who, out of duty and conscience, have opposed and resisted that torrent, which hath overwhelmed them, may lose the recompense due to their virtue; and, having undergone the injuries and reproaches of this, may not find a vindication in a better age; it will not be unuseful, at least to the curiosity if not the conscience of men, to present to the world a full and clear narration of the grounds, circumstances, and artifices of this rebellion: not only from the time since the flame hath been visible in a civil war, but, looking farther back, from those former passages, accidents, and actions, by which the seed-plots were made and framed, from whence these mischiefs have successively grown to the height they are now at.

And then, though the hand and judgment of God will be very visible, in the infatuating a people (as ripe and prepared for destruction) into all the perverse actions of folly and madness, making the weak to contribute to the designs of the wicked, and suffering even those, by degrees, out of the conscience of their guilt, to grow more wicked than they intended to be; letting the wise to be imposed upon by men of no understanding, and possessing the innocent with laziness and sleep in the most visible article of danger; uniting the ill, though of the most different opinions, divided interests, and distant affections, in a firm and constant league of mischief; and dividing those, whose opinions and interests are the same, into faction and emulation, more pernicious to the public than the treason of the others: whilst the poor people, under pretence of zeal to religion, law, liberty, and parliaments, (words of precious esteem in their just signification,) are furiously hurried into actions introducing atheism, and dissolving all the elements of Christian religion; cancelling all obligations, and destroying all foundations of law and liberty; and

rendering, not only the privileges, but very being, of parliaments desperate and impossible: I say, though the immediate finger and wrath of God must be acknowledged in these perplexities and distractions; yet he who shall diligently observe the distempers and conjunctures of time, the ambition, pride, and folly of persons, and the sudden growth of wickedness, from want of care and circumspection in the first impressions, will find all this bulk of misery to have proceeded, and to have been brought upon us, from the same natural causes and means, which have usually attended kingdoms, swoln with long plenty, pride, and excess, towards some signal mortifications, and castigation of Heaven. And it may be, upon the view of the impossibility of foreseeing many things that have happened, and of the necessity of overseeing many other things, we may not yet find the cure so desperate, but that, by God's mercy, the wounds may be again bound up; though no question many must first bleed to death; and then this prospect may not make the future peace less pleasant and durable.

And I have the more willingly induced myself to this unequal task, out of the hope of contributing somewhat to that end: and though a piece of this nature (wherein the infirmities of some, and the malice of others, both things and persons, must be boldly looked upon and mentioned) is not likely to be published at least in the age in which it is writ, yet it may serve to inform myself, and some others, what we are to do, as well as to comfort us in what we have done, and then possibly it may not be very difficult to collect somewhat out of that store, more proper, and not unuseful for the public view. And as I may not be thought altogether an incompetent person for this communication, having been present as a member of parliament in those councils before and till the breaking out of the rebellion, and having since had the honour to be near two great kings in some trust, so I shall perform the same with all faithfulness and ingenuity; with an equal observation of the faults and infirmities of both sides, with their defects and oversights in pursuing their own ends; and shall no otherwise mention small and light occurrences,

than as they have been introductions to matters of the greatest moment; nor speak of persons otherwise, than as the mention of their virtues or vices is essential to the work in hand: in which as I shall have the fate to be suspected rather for malice to many, than of flattery to any, so I shall, in truth, preserve myself from the least sharpness, that may proceed from private provocation, or a more public indignation, in the whole observing the rules that a man should, who deserves to be believed.

I shall not then lead any man farther back in this journey, for the discovery of the entrance into these dark ways, than the beginning of this king's reign. For I am not so sharp-sighted as those, who have discerned this rebellion contriving from (if not before) the death of queen Elizabeth, and fomented by several princes and great ministers of state in Christendom, to the time that it brake out. Neither do I look so far back as believing the design to be so long since formed; (they who have observed the several accidents, not capable of being contrived, which have contributed to the several successes, and do know the persons who have been the grand instruments towards this change, of whom there have not been any four of familiarity and trust with each other, will easily absolve them from so much industry and foresight in their mischief;) but that, by viewing the temper, disposition, and habit, of that time, of the court and of the country, we may discern the minds of men prepared, of some to do, and of others to suffer, all that hath since happened; the pride of this man, and the popularity of that; the levity of one, and the morosity of another; the excess of the court in the greatest want, and the parsimony and retention of the country in the greatest plenty; the spirit of craft and subtlety in some, and the rude and unpolished integrity of others, too much despising craft or art; like so many atoms contributing jointly to this mass of confusion now before us.

KING JAMES in the end of March 1625 died, leaving his majesty that now is, engaged in a war with Spain, but unprovided with money to manage it; though it was undertaken by the consent and advice of parliament: the people being naturally enough inclined to the war (having surfeited with the uninterrupted pleasures and plenty of twenty-two years peace) and sufficiently inflamed against the Spaniard; but quickly weary of the charge of it: and therefore, after an unprosperous and chargeable attempt in a voyage by sea upon Cadiz, and as unsuccessful and more unfortunate a one upon France, at the Isle of Rhé, (for some difference had likewise at the same time begotten a war with that prince,) a general peace was shortly concluded with both kingdoms; the exchequer being so exhausted with the debts of king James, the bounty of his majesty that now is, (who, upon his first access to the crown, gave many costly instances of his favour to persons near him,) and the charge of the war upon Spain, and France, that both the known and casual revenue being anticipated, the necessary subsistence of the house-  
 1 was unprovided for; and the king on the  
 2 driven to those straits for his own support,  
 3 any ways were resorted to, and inconveniently  
 4 submitted to, for supply; as selling the

crown-lands, creating peers for money, and many other particulars, which no access of power or plenty since could repair.

Parliaments were summoned, and again dissolved: and that in the fourth year (after the dissolution of the two former) was determined with a profession and declaration that there should be no more assemblies of that nature expected, and all men inhibited upon the penalty of censure, so much as to speak of a parliament. And here I cannot but let myself loose to say, that no man can shew me a source, from whence these waters of bitterness we now taste have more probably flowed, than from these unseasonable, unskilful, and precipitate dissolutions of parliaments; in which, by an unjust survey of the passion, insolence, and ambition of particular persons, the court measured the temper and affection of the country; and by the same standard the people considered the honour, justice, and piety of the court; and so usually parted, at those sad seasons, with no other respect and charity one toward the other, than accompanies persons who never meant to meet but in their own defence. In which the king had always the disadvantage to harbour persons about him, who, with their utmost industry, information, and malice, improved the faults and infirmities of the court to the people; and again, as much as in them lay, rendered the people suspected, if not odious to the king.

I am not altogether a stranger to the passages of those parliaments, (though I was not a member of them,) having carefully perused the journals of both houses, and familiarly conversed with many who had principal parts in them. And I cannot but wonder at those counsels, which persuaded the courses then taken; the habit and temper of men's minds being, no question, very applicable to the public ends; and those ends being only discredited by the jealousies the people entertained from the manner of the prosecution, that they were other, and worse than in truth they were. It is not to be denied, that there were, in all those parliaments, especially in that of the fourth year, several passages, and distempered speeches of particular persons, not fit for the dignity and honour of those places, and unsuitable to the reverence due to his majesty and his councils. But I do not know any formed act of either house (for neither the remonstrance or votes of the last day were such) that was not agreeable to the wisdom and justice of great courts, upon those extraordinary occasions. And whoever considers the acts of power and injustice in the intervals of parliament, will not be much scandalized at the warmth and vivacity of those meetings.

In the second parliament there was a mention, and intention declared, of granting five subsidies, a proportion (how contemptible soever in respect of the pressures now every day imposed) never before heard of in parliament. And that meeting being, upon very unpopular and unpalatable reasons, immediately dissolved, those five subsidies were exacted, throughout the whole kingdom, with the same rigour, as if, in truth, an act had passed to that purpose. Very many gentlemen of prime quality, in all the several counties of England, were, for refusing to pay the same, committed to prison, with great rigour and extraordinary circumstances. And could it be imagined, that these men would meet again in a free convention of par-

liament, without a sharp and severe expostulation, and inquisition into their own right, and the power that had imposed upon that right? And yet all these provocations, and many other, almost of as large an extent, produced no other resentment, than the petition of right, (of no prejudice to the crown,) which was likewise purchased at the price of five subsidies more, and, in a very short time after that supply granted, that parliament was likewise, with strange circumstances of passion on all sides, dissolved.

The abrupt and ungracious breaking off the two first parliaments was wholly imputed to the duke of Buckingham; and of the third, principally to the lord Weston, then lord high treasurer of England; both in respect of the great power and interest they then had in the affections of his majesty, and for that the time of the dissolutions happened to be, when some charges and accusations were preparing, and ready to be preferred against those two great persons. And therefore the envy and hatred, that attended them thereupon, was insupportable, and was visibly the cause of the murder of the first, (stabbed to the heart by the hand of an obscure villain, upon the mere impious pretence of his being odious to the parliament,) and made, no doubt, so great an impression upon the understanding and nature of the other, that, by degrees, he lost that temper and serenity of mind he had been before master of, and which was most fit to have accompanied him in his weighty employments: insomuch as, out of indignation to find himself worse used than he deserved, he cared less to deserve well, than he had done; and insensibly grew into that public hatred, that rendered him less useful to the service that he only intended.

I wonder less at the errors of this nature in the duke of Buckingham; who, having had a most generous education in courts, was utterly ignorant of the ebbs and floods of popular councils, and of the winds that move those waters; and could not, without the spirit of indignation, find himself, in the space of a few weeks, without any visible cause intervening, from the greatest height of popular estimation that any person hath ascended to, (insomuch as sir Edward Coke blasphemously called him our Saviour,) by the same breath thrown down to the depth of calumny and reproach. I say, it is no marvel, (besides that he was naturally to follow such counsel as was given him,) that he could think of no better way to be freed of the inconveniences and troubles the passions of those meetings gave him, than to dissolve them, and prevent their coming together: and that, when they seemed to neglect the public peace, out of animosity to him, that he intended his own ease and security in the first place, and easily believed the public might be otherwise provided for, by more intent and dispassionate councils. But that the other, the lord Weston, who had been very much and very popularly conversant in those conventions, who exactly knew the frame and constitution of the kingdom, the temper of the people, the extent of the courts of law, and the jurisdiction of parliaments, which at that time had never committed any excess of jurisdiction, (modesty and moderation in words never was, nor ever will be, observed in popular councils, whose foundation is liberty of speech,) should believe, that the union, peace, and plenty of the kingdom

could be preserved without parliaments, or that the passion and distemper gotten and received into parliaments could be removed and reformed by the more passionate breaking and dissolving them; or that that course would not inevitably prove the most pernicious to himself, is as much my wonder, as any thing that hath since happened.

There is a protection very gracious and just, which princes owe to their servants, when, in obedience to their just commands, upon extraordinary and necessary occasions, in the execution of their trusts, they swerve from the strict rule of the law, which, without that mercy, would be penal to them. In any case, it is as legal (the law presuming it will always be done upon great reason) for the king to pardon, as for the party to accuse, and the judge to condemn. But for the supreme power to interpose, and shelter an accused servant from answering, does not only seem an obstruction of justice, and lay an imputation upon the prince, of being privy to the offence; but leaves so great a scandal upon the party himself, that he is generally concluded guilty of whatsoever he is charged; which is commonly more than the worst man ever deserved. And it is worthy the observation, that, as no innocent man who made his defence ever suffered in those times by judgment of parliament; so many guilty persons, and against whom the spirit of the time went as high, by the wise managing their defence, have been freed from their accusers, not only without censure, but without reproach; as the bishop of Lincoln, then lord keeper, sir H. Marten, and sir H. Spiller; men, in their several degrees, as little beholden to the charity of that time, as any men since. Whereas scarce a man, who, with industry and skill, laboured to keep himself from being accused, or by power to stop or divert the course of proceeding, escaped without some signal mark of infamy or prejudice. And the reason is clear; for besides that, after the first storm, there is some compassion naturally attends men like to be in misery; and besides the latitude of judging in those places, whereby there is room for kindness and affection, and collateral considerations to interpose; the truth is, those accusations (to which this man contributes his malice, that his wit, all men what they please, and most upon hearsay, with a kind of uncharitable delight of making the charge as heavy as may be) are commonly stuffed with many odious generals, that the proofs seldom make good: and then a man is no sooner found less guilty than he is expected, but he is concluded more innocent than he is; and it is thought but a just reparation for the reproach that he deserved not, to free him from the censure he deserved. So that, very probably, those two noble persons had been happy, if they had stoutly submitted to the proceedings [which] were designed against them; and, without question, it had been of sovereign use to the king, if, in those peaceable times, parliaments had been taught to know their own bounds, by being suffered to proceed as far as they could go; by which the extent of their power would quickly have been manifested: from whence no inconvenience of moment could have proceeded; the house of commons never then pretending to the least part of judicature, or exceeding the known verge of their own privileges; the house of peers observing the rules of law and equity in their judgments, and proceeding deliberately upon

clear testimony and evidence of matter of fact; and the king retaining the sole power of pardoning, and receiving the whole profit of all penalties and judgments; and indeed having so great an influence upon the body of the peerage, that it was never known that any person of honour was severely censured in that house, (before this present parliament,) who was not either immediately prosecuted by the court, or in evident disfavour there; in which, it may be, (as it usually falls out,) some doors were opened, at which inconveniences to the crown have got in, that were not then enough weighed and considered.

But the course of exempting men from prosecution, by dissolving of parliaments, made the power of parliaments much more formidable, as conceived to be without limit; since the sovereign power seemed to be compelled (as unable otherwise to set bounds to their proceedings) to that rough cure, and to determine their being, because it could not determine their jurisdiction. Whereas, if they had been frequently summoned, and seasonably dissolved, after their wisdom in applying medicines and cures, as well as their industry in discovering diseases, had been discerned, they would easily have been applied to the uses for which they were first instituted; and been of no less esteem with the crown, than of veneration with the people. And so I shall conclude this digression, which I conceived not unseasonable for this place, nor upon this occasion, and return to the time when that brisk resolution was taken of totally declining those conventions; all men being inhibited (as I said before) by proclamation at the dissolution of the parliament in the fourth year, so much as to mention or speak as if a parliament should be called.

And here it will give much light to that which follows, if we take a view of the state of the court and of the council at that time, by which, as in a mirror, we may best see the face of that time, and the affections and temper of the people in general.

And for the better taking this prospect, we will take a survey of the person of that great man, the duke of Buckingham, (who was so barbarously murdered at this time,) whose influence had been unfortunate in the public affairs, and whose death produced a change in all the counsels. The duke was indeed a very extraordinary person; and never any man, in any age, nor, I believe, in any country or nation, rose, in so short a time, to so much greatness of honour, fame, and fortune, upon no other advantage or recommendation, than of the beauty and gracefulness and becomingness of his person. And I have not the least purpose of undervaluing his good parts and qualities, (of which there will be occasion shortly to give some testimony,) when I say, that his first introduction into favour was purely from the handsomeness of his person.

He was the younger son of sir George Villiers, of Brookesby, in the county of Leicester; a family of an ancient extraction, even from the time of the conquest, and transported then with the conqueror out of Normandy, where the family hath still remained, and still continues with lustre. After sir George's first marriage, in which he had two or three sons, and some daughters, who shared an ample inheritance from him; by a second marriage, with a young lady of the family of the

Beaumonts, he had this gentleman, and two other sons and a daughter, who all came afterwards to be raised to great titles and dignities. George, the eldest son of this second bed, was, after the death of his father, by the singular affection and care of his mother, who enjoyed a good jointure in the account of that age, well brought up; and, for the improvement of his education, and giving an ornament to his hopeful person, he was by her sent into France; where he spent two or three years in attaining the language, and in learning the exercises of riding and dancing; in the last of which he excelled most men, and returned into England by the time he was twenty-one years old.

King James reigned at that time; and though he was a prince of more learning and knowledge than any other of that age, and really delighted more in books, and in the conversation of learned men; yet, of all wise men living, he was the most delighted and taken with handsome persons, and with fine clothes. He began to be weary of his favourite, the earl of Somerset, who was the only favourite that kept that post so long, without any public reproach from the people: and, by the instigation and wickedness of his wife, he became, at least, privy to a horrible murder, that exposed him to the utmost severity of the law, (the poisoning of sir Thomas Overbury,) upon which both he and his wife were condemned to die, after a trial by their peers; and many persons of quality were executed for the same.

Whilst this was in agitation, and before the utmost discovery was made, Mr. Villiers appeared in court, and drew the king's eyes upon him. There were enough in the court enough angry and incensed against Somerset, for being what themselves desired to be, and especially for being a Scotsman, and ascending, in so short a time, from being a page, to the height he was then at, to contribute all they could to promote the one, that they might throw out the other: which being easily brought to pass, by the proceeding of the law upon his crime aforesaid, the other found very little difficulty in rendering himself gracious to the king, whose nature and disposition was very flowing in affection towards persons so adorned. Insomuch that, in few days after his first appearance in court, he was made cupbearer to the king; by which he was naturally to be much in his presence, and so admitted to that conversation and discourse, with which that prince always abounded at his meals.

And his inclination to his new cupbearer disposed him to administer frequent occasions of discoursing of the court of France, and the transactions there, with which he had been so lately acquainted, that he could pertinently enlarge upon that subject, to the king's great delight, and to the reconciling the esteem and value of all the standers by likewise to him: which was a thing the king was well pleased with. He acted very few weeks upon this stage, when he mounted higher; and, being knighted, without any other qualification, he was at the same time made gentleman of the bedchamber, and knight of the order of the garter; and in a short time (very short for such a prodigious ascent) he was made a baron, a viscount, an earl, a marquis, and became lord high admiral of England, lord warden of the cinque ports; master of the horse, and entirely

disposed of all the graces of the king, in conferring all the honours and all the offices of the three kingdoms, without a rival; in dispensing whereof, he was guided more by the rules of appetite than of judgment; and so exalted almost all of his own numerous family and dependants, who had no other virtue or merit than their alliance to him, which equally offended the ancient nobility, and the people of all conditions, who saw the flowers of the crown every day fading and withered; whilst the demesnes and revenue thereof was sacrificed to the enriching a private family, (how well soever originally extracted,) not heard of before ever to the nation; and the expenses of the court so vast and unlimited by the old good rules of economy, that they had a sad prospect of that poverty and necessity, which afterwards befell the crown, almost to the ruin of it.

Many were of opinion, that king James, before his death, grew weary of his favourite; and that, if he had lived, he would have deprived him at least of his large and unlimited power. And this imagination prevailed with some men, as the lord keeper Lincoln, the earl of Middlesex, lord high treasurer of England, and other gentlemen of name, though not in so high stations, that they had the courage to withdraw from their absolute dependence upon the duke, and to make some other essays, which proved to the ruin of every one of them; there appearing no marks, or evidence, that the king did really lessen his affection to him, to the hour of his death. On the contrary, as he created him duke of Buckingham in his absence, whilst he was with the prince in Spain; so, after his return, he executed the same authority in conferring all favours and graces, and revenging himself upon those, who had manifested any unkindness towards him. And yet, notwithstanding all this, if that king's nature had equally disposed him to pull down, as to build and erect, and if his courage and severity in punishing and reforming had been as great as his generosity and inclination was to oblige, it is not to be doubted, but that he would have withdrawn his affection from the duke entirely, before his death; which those persons, who were admitted to any privacy with [him,] and were not in the confidence of the other, (for before those he knew well how to dissemble,) had reason enough to expect.

For it is not to be doubted, that the king was never well pleased with the duke, after the prince's going into Spain; which was infinitely against his will, and contrived wholly by the duke: who, out of envy, that the earl of Bristol should have the sole management of so great an affair (as hitherto that treaty had been wholly managed by him in Spain, where he was now extraordinary ambassador, and all particulars agreed upon,) had one day insinuated to the prince the common misfortune of princes, that in so substantial a part of their happiness in this world, as depended upon their marriage, themselves had never any part, but must receive only an account from others of the nature, and humour, and beauty of the ladies they were to marry; and those reports seldom proceeded from persons totally uninterested, at least uninclined from the parts they had acted towards such preparations. From hence [he] discoursed how gallant and how brave a thing it would be, for his highness to make a journey into

Spain, and to fetch home his mistress; that it would put an end presently to all those formalities, which, (though all substantial matters were agreed upon already,) according to the style of that court, and the slow progress in all things of ceremony, might yet long retard the infanta's voyage into England many months; all which would be in a moment removed by his own presence; that it would be such an obligation to the infanta herself, as she could never enough value or requite; and being a respect never paid by any other prince, upon the like addresses, could proceed only from the high regard and reverence he had for her person; that in the great affair that only remained undetermined, and was not entirely yielded to, though under a very civil deliberation, which was the restoring the palatinate, it was very probable, that the king of Spain himself might choose, in the instant, to gratify his personal interposition, which, in a treaty with an ambassador, might be drawn out in length, or attended with overtures of recompense by some new concessions, which would create new difficulties: however, that the mediation could not but be frankly undertaken by the infanta herself, who would ambitiously make it her work to pay a part of her great debt to the prince; and that he might with her, and by her, present to his majesty the entire peace and restitution of his family, which by no other human means could be brought to pass.

These discourses made so deep impression upon the mind and spirit of the prince, (whose nature was inclined to adventures,) that he was transported with the thought of it, and most impatiently solicitous to bring it to pass. The greatest difficulty that was in view was, how they might procure the king's consent, who was very quick-sighted in discerning difficulties and raising objections, and very slow in mastering them, and untying the knots he had made: in a word, he knew not how to wrestle with desperate contingencies, and so abhorred the being entangled in such. This was to be first attempted by the prince himself, by communicating it to the king, as his earnest desire and suit, with this circumstance; that since his doing or not doing what he most desired, depended wholly and entirely upon his majesty's own approbation and command, that he would vouchsafe to promise not to communicate the thing proposed, before he had first taken his own resolution; and that this condition should be first humbly insisted on, before the substantial point should be communicated; and so, this approach being first made; the success and prosecution was to be left to the duke's credit, dexterity, and cultivation. All things being thus concerted between his highness and the duke, (and this the beginning of an entire confidence between them, after a long time of declared jealousy and displeasure on the prince's part, and occasion enough administered on the other,) they shortly found a fit opportunity (and there were seasons when that king was to be approached more hopefully than in others) to make their address together. And his majesty cheerfully consented to the condition, and being well pleased that all should depend upon his will, frankly promised that he would not, in any degree, communicate to any person the matter, before he had taken, and communicated to them, his own resolution.

The prince then, upon his knees, declared his suit and very importunate request, the duke standing a long time by, without saying a word, and until the king discoursed the whole matter to the prince, with less passion than they expected, and then looked upon the duke, as inclined to hear what he would say; who spoke nothing to the point, whether in point of prudence counsellable, or not; but enlarged upon the infinite obligation his majesty would confer upon the prince, by his concession of the violent passion his highness was transported with; and, after many exalted expressions to that purpose, concluded, that he doubted that his majesty refusing to grant the prince this his humble request would make a deep impression upon his spirits, and peace of mind; and that he would, he feared, look upon it as the greatest misfortune and affliction that could befall him in this world. The prince then taking the opportunity, from the good temper he saw his father in, to enlarge upon these two points, which he knew were most important in the king's own wishes and judgment, that this expedient would put a quick end to this treaty, which could not be continued after his arrival in that court; but that his marriage must presently ensue, which, he well knew, the king did the most impatiently desire of all blessings in this world: he said likewise, he would undertake (and he could not but be believed from the reasonableness of it) that his presence would in a moment determine the restitution of the palatinate to his brother and sister; which was the second thing the king longed most passionately to see before he should leave this world.

These discourses, urged with all the artifice and address imaginable, so far wrought upon and prevailed with the king, that, with less hesitation than his nature was accustomed to, and much less than was agreeable to his great wisdom, he gave his approbation, and promised that the prince should make the journey he was so much inclined to: whether he did not upon the sudden comprehend the consequences, which would naturally attend such a rash undertaking, or whether he the less considered them, because the provisions, which must be made for such a journey, both with reference to the expense and security of it, would take up much time, and could not be done in such a secret way, but that the council itself might be resumed again, when new measures should be taken. But this imagination was too reasonable not to be foreseen by them; and so they had provided themselves accordingly. And therefore, as soon as they had the king's promise upon the main, they told him, the security of such a design depended on the expedition, without which there could be no secrecy observed, or hoped for; that, if it were deferred till such a fleet could be made ready, and such an equipage prepared, as might be fit for the prince of Wales, so much time would be spent, as would disappoint the principal ends of the journey: if they should send for a pass to France, the ceremony in the asking and granting it, and that which would flow from it, in his passage through that kingdom, would be at least liable to the same objection of delay: besides that, according to the mysteries and intrigues of state, such a pass could not in point of security be reasonably depended upon; and therefore they

had thought of an expedient, which would avoid all inconveniences and hazards; and that it should be executed before it should be suspected: that it had never hitherto been, in the least degree, consulted but between themselves, (which was really true;) and therefore, if they now undertook the journey only with two servants, who should not know any thing till the moment they were to depart, they might easily pass through France, before they should be missed at Whitehall: which was not hard to be conceived, and so with the less disquisition was consented to by the king: and the farther deliberation of what was more to be done both in matter and manner, and the nomination of the persons who should attend them, and the time for their departure, was deferred to the consultation of the next day.

When the king, in his retirement, and by himself, came to revolve what had been so loosely consulted before, as he had a wonderful sagacity in such reflections, a thousand difficulties and dangers occurred to him, and so many precipices, which could hardly be avoided in such a journey. Besides those considerations, which the violent affection of a father to his only son suggested to him, he thought how ill an influence it might have on his people, too much disposed to murmur and complain of the least inadvertence, and that they looked upon the prince as the son of the kingdom, as well as his natural son. He considered the reputation he should lose with all foreign princes, (especially if any ill accident should happen,) by so much departing from his dignity in exposing the immediate heir of the crown, his only son, to all the dangers, and all the jealousies, which particular malice, or that fathomless abyss of reason of state, might prepare and contrive against him; and then, in how desperate a condition himself and his kingdoms should remain, if the prince miscarried by such an unparalleled weakness of his, contrary to the light of his understanding, as well as the current of his affection.

These reflections were so terrible to him, that they robbed him of all peace and quiet of mind; insomuch as when the prince and duke came to him about the dispatch, he fell into a great passion of tears, and told them that he was undone, and that it would break his heart, if they pursued their resolution; that, upon a true and dispassionate disquisition he had made with himself, he was abundantly convinced, that, besides the almost inevitable hazards of the prince's person, with whom his life was bound up, and besides the entire loss of the affections of his people, which would unavoidably attend this rash action, he foresaw it would ruin the whole design, and irrecoverably break the match. For whereas all those particulars, upon which he could positively and of right insist, were fully granted, (for that, which concerned the prince elector, who had unexcusably, and directly against his advice, incurred the ban of the empire in an imperial diet, must be wrought off by mediation and treaty, could not be insisted on in justice,) nor could Spain make any new demands, all the overtures they had made being adjusted; the prince should no sooner arrive at Madrid, than all the articles of the treaty should be laid aside, and new matters be proposed, which had not been yet mentioned, and could never be consented to by him: that the treaty of this marriage, how well soever



received, and how much soever desired by the king and his chief ministers, was in no degree acceptable to the Spanish nation in general, and less to the court of Rome, where, though the new pope seemed more inclined to grant the dispensation than his predecessor had been, it was plain enough, that it proceeded only from the apprehension he had to displease the king of Spain, not that he was less averse from the match, it having been always believed, both in Spain and in Rome, that this marriage was to be attended with a full repeal of all the penal laws against the catholics, and a plenary toleration of the exercise of that religion in England, which they now saw concluded, without any signal or real benefit or advantage to them. And therefore they might expect, and be confident, that when they had the person of the prince of Wales in their hands, the king of Spain (though in his own nature and inclinations full of honour and justice) would be even compelled by his clergy (who had always a great influence upon the counsels of that kingdom) and the importunities from Rome, who would tell him, that God had now put it into his hand to advance the catholic cause, to make new demands for those of that religion here; which, though he could never consent to, would at best interpose such delays in the marriage, that he should never live to see it brought to pass, nor probably to see his son return again out of Spain. Then he put the duke in mind (whom he hitherto believed only to comply with the prince to oblige him, after a long alienation from his favour) how inevitable his ruin must be, by the effect of this counsel, how ungracious he was already with the people, and how many enemies he had amongst the greatest persons of the nobility, who would make such use of this occasion, that it would not be in his majesty's power to protect him. And he concluded with the disorder and passion, with which he began, with sighs and tears, to conjure them, that they would no more press him to give his consent to a thing so contrary to his reason, and understanding, and interest, the execution whereof would break his heart, and that they would give over any further pursuit of it.

The prince and the duke took not the pains to answer any of the reasons his majesty had insisted on; his highness only putting him in mind of the promise he had made to him the day before, which was so sacred, that he hoped he would not violate it; which would make him never think more of marriage. The duke, who better knew what kind of arguments were of prevalence with him, treated him more rudely; told him, nobody could believe any thing he said, when he retracted so soon the promise he had so solemnly made; that he plainly discerned, that it proceeded from another breach of his word, in communicating with some rascal, who had furnished him with those pitiful reasons he had alleged; and he doubted not but he should hereafter know who his counsellor had been: that if he receded from what he had promised, it would be such a disobligation upon the prince, who had set his heart now upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.

The prince, who had always expressed the highest duty and reverence towards the king, by his humble and importunate entreaty, and the duke by his rougher dialect, in the end prevailed so far,

(after his majesty had passionately, and with many oaths, renounced the having communicated the matter with any person living,) that the debate was again resumed upon the journey, which they earnestly desired might not be deferred, but that they might take their leaves of the king within two days, in which they would have all things ready which were necessary, his highness pretending to hunt at Theobald's, and the duke to take physic at Chelsea.

They told him, that being to have only two more in their company, as was before resolved, they had thought (if he approved them) upon sir Francis Cottington and Endymion Porter, who, though they might safely, should not be trusted with the secret, till they were even ready to be embarked. The persons were both grateful to the king, the former having been long his majesty's agent in the court of Spain, and was now secretary to the prince; the other, having been bred in Madrid, and after many years attendance upon the duke, was now one of the bedchamber to the prince: so that his majesty cheerfully approved the election they had made, and wished it might be presently imparted to them; saying, that many things would occur to them, as necessary to the journey, that they two would never think of; and took that occasion to send for sir Francis Cottington to come presently to him, (whilst the other two remained with him,) who, being of custom waiting in the outward rooms, was quickly brought in; whilst the duke whispered the prince in the ear, that Cottington would be against the journey, and his highness answered he durst not.

The king told him, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not upon his life to disclose to any man alive; then said to him, "Cottington, here is baby Charles and 'Stenny,' (an appellation he always used of and towards the duke,) 'who have a great mind to go by post into Spain, to fetch home the infanta, and will have but two more in their company, and have chosen you for one. What think you of the journey?'" He often protested, that when he heard the king, he fell into such a trembling, that he could hardly speak. But when the king commanded him to answer him, what he thought of the journey, he replied, that he could not think well of it, and that he believed it would render all that had been done towards the match fruitless: for that Spain would no longer think themselves obliged by those articles, but that, when they had the prince in their hands, they would make new overtures, which they believed more advantageous to them; amongst which they must look for many which would concern religion, and the exercise of it in England. Upon which the king threw himself upon his bed, and said, "I told you this before," and fell into new passion and lamentation, that he was undone, and should lose baby Charles.

There appeared displeasure and anger enough in the countenances both of the prince and duke; the latter saying, that as soon as the king sent for him, he whispered the prince in the ear, that he would be against it; that he knew his pride well enough; and that, because he had not been first advised with, he was resolved to dislike it; and thereupon he reproached Cottington with all possible bitterness of words; told him the king asked him only of the journey, and which would be the best way, of which he might be a competent counsellor, having made

the way so often by post : but that he had the presumption to give his advice upon matter of state, and against his master, without being called to it, which he should repent as long as he lived ; with a thousand new reproaches, which put the poor king into a new agony on the behalf of a servant, who he foresaw would suffer for answering him honestly. Upon which he said, with some commotion, "Nay, by God, Stenny, you are very much to blame to use him so. He answered me directly to the question I asked him, and very honestly and wisely : and yet you know he said no more than "I told you, before he was called in." However, after all this passion on both parts, the king yielded, and the journey was at that very conference agreed upon, and all directions given accordingly to sir Francis Cottington ; the king having now plainly discovered, that the whole intrigue was originally contrived by the duke, and so violently pursued by his spirit and impetuosity.

The manner, circumstances, and conclusion of that voyage, with the rare accidents which happened in it, will no doubt be at large remembered by whosoever shall have the courage to write the transactions of that time, with that integrity he ought to do : in which it will manifestly appear, how much of the prophet was in the wisdom of the king ; and that that designed marriage, which had been so many years in treaty, even from the death of prince Harry, and so near concluded, was solely broken by that journey : which, with the passages before mentioned, king James never forgave the duke of Buckingham ; but retained as sharp a memory of it as his nature could contain.

This indisposition in the king towards the duke was exceedingly increased and aggravated upon and after the prince's return out of Spain. For though it brought infinite joy and delight to his majesty, which he expressed in all imaginable transportation, and was the argument of the loudest and most universal rejoicing over the whole kingdom, that the nation had ever been acquainted with ; in which the duke had so full a harvest, that the impudence and presumption (to say no more) of carrying the prince into Spain was totally forgotten, or forgotten with any reference to him, and the high merit and inestimable obligation, in bringing him home, was remembered, magnified, and celebrated by all men in all places ; yet the king was wonderfully disquieted, when he found (which he had not before their return suspected) that the prince was totally alienated from all thoughts of, or inclination to, the marriage ; and that they were resolved to break it, with or without his approbation or consent. And in this the duke resumed the same impetuosity he had so much indulged to himself in the debate of the journey into Spain.

The king had, upon the prince's return, issued out writs to call a parliament, which was in the twenty-first year of his reign, thinking it necessary, with relation to the perplexities he was in, for the breach of this match with Spain, (which he foresaw must ensue,) and the sad condition of his only daughter in Germany, with her numerous issue, to receive their grave advice. By the time the parliament could meet, the prince's entire confidence being still reposed in the duke, as the king's seemed to be, the duke had wrought himself into the very great esteem and confidence of the principal members of both houses of parliament, who were most like to be the leading men, and had all a desire to

have as much reputation in the court, as they had in the country. It was very reasonably thought necessary, that as the king would, at the opening of the parliament, make mention of the treaty with Spain, and more at large of his daughter's being driven out of the palatinate, which would require their assistance and aid ; so that the prince and duke should afterwards, to one or both houses, as occasion should be offered, make a relation of what had passed in Spain, especially concerning the palatinate : that so putting the houses into some method and order of their future debate, they would be more easily regulated, than if they were in the beginning left to that liberty, which they naturally affected, and from which they would not be restrained, but in such a manner as would be grateful to themselves.

Things being thus concerted, after the houses had been three or four days together, (for in that time some days were always spent in the formality of naming committees, and providing for common occurrences, before they made an entrance upon more solemn debates,) the prince began to speak of the Spanish affairs, and of his own journey thither ; and forgot not to mention the duke with more than ordinary affection. Whereupon it was thought fit, that the whole affair, which was likewise to be the principal subject matter of all their consultations, should be stated and enlarged upon, in a conference between the two houses, which his highness and the duke were desired to manage. How little notice soever any body else could take of the change, the duke himself too well knew the hearty resentment the king had of what had passed, and of the affection he still had for the Spanish treaty ; and therefore he had [done], and resolved still to do, all he could, to make himself grateful to the parliament, and popular amongst the people, who he knew had always detested the match with Spain, or in truth any alliance with that nation.

So when, at the conference, the prince had made a short introduction to the business, and said some very kind things of the duke, of his wonderful care of him whilst he was in Spain, and the great dexterity he used in getting him away, he referred the whole relation to him ; who made "the true ground" of the prince's journey into Spain, which he well knew had begot such a terrible panting in the hearts of all good Englishmen, had been only to make a clear discovery of the sincerity of the Spaniard, and, if his intention were real, to put a speedy end to it by marrying the lady upon the place : if he found it otherwise, to put his father and himself into liberty to dispose of himself in some other place. That the ambassador, in whose hands that great affair was solely managed, when in one dispatch he wrote that all was concluded, in the next used to give an account of new difficulties, and new demands : and, when all things were adjusted at Madrid, some unexpected scruples discovered themselves at Rome, with which the councils in Spain seemed to be surprised, and appeared to be confounded, and not to know what to say. These ebbs and floods made the prince apprehend, that the purpose was to amuse us, whilst they had other designs in secret agitation. And thereupon, that his highness had prevailed with his father (how unwilling soever) to permit him to make that journey, that he might make that useful discovery, which could not be otherwise made in any seasonable time.

"That they no sooner came to Madrid, than they discovered (though the prince was treated with all the respect due to his greatness, and the obligation he had laid upon that nation) that there had never been any real purpose that the infanta should be given to him: that, during so long an abode as his highness made there, they had never procured the dispensation from Rome, which they might easily have done: and that, at last, upon the death of the pope, Gregory XV, the whole process was to begin again, and would be transacted with the formalities, which they should find necessary to their other affairs. That, instead of proceeding upon the articles, which had been pretended to be concluded, they urged nothing but new demands, and in matters of religion so peremptorily, that the principal clergymen, and the most eminent of that king's preachers, had frequent conferences with the prince, to persuade him to change his religion, and become a catholic. And, in order to move him the more successfully thereunto, they procured the pope to write a letter himself to his highness, putting him in mind of the religion of his ancestors and progenitors, and conjuring him to return to the same faith: but that it had pleased God not only to give the prince a constant and unshakable heart in his religion, but such wonderful abilities to defend the same in his discourse and arguments, that they stood amazed to hear him, and upon the matter confessed, that they were not able to answer him.

"That they would not suffer the prince to confer with, or so much as to speak to hardly, and very rarely to see his mistress, who they pretended he should forthwith marry. That they could never obtain any better answer in the business of the palatinate, than that the restoring it was not in the power of that king, though it had been taken by the sole power of Spain, and the Spanish army, under the command of the marquis Spinola, who was then in the entire possession of it: but that his catholic majesty would use his interposition, with all the credit he had with the emperor and duke of Bavaria, without whose joint consent it could not be done, and whose consent he hoped to obtain: but that he was well assured, that there was no more real intention in that point of restitution, than in the other of the marriage; and that the palatinate must not be looked to be recovered any other way than by force, which would easily bring it to pass."

Throughout his whole discourse he made frequent reflections upon the earl of Bristol, as if he very well knew the Spaniards' purposes in the whole, and concurred with them in it. "That he was so much troubled when he first saw the prince, who alighted at his house, that he could not contain himself, but wished that his highness were at home again; that he had afterwards, when he found that his highness liked the infanta, persuaded him in private that he would become a catholic; and that, without changing his religion, it would not be possible ever to compass that marriage."

He told them, "That the king had sent for the earl to return home, where he should be called to account for all his miscarriages." Whereas in truth the king had recalled him rather to assist him against the duke, than to expose him to his

malice and fury; his majesty having a great esteem of that earl's fidelity to him, and of his great abilities.

The conference ended in a wonderful applause, in both houses, of the prince and duke's behaviour and carriage throughout the affair, and in a hasty resolution to dissuade the king from entertaining any farther motions towards the match, and frankly and resolutely to enter into a war with Spain; towards the carrying on of which they raised great mountains of promises, and, prevailing in the first, never remembered to make good the latter; which too often falls out in such counsels.

When king James was informed of what the duke had so confidently avowed, for which he had no authority, or the least direction from him, and a great part whereof himself knew to be untrue; and that he had advised an utter breach of the treaty, and to enter upon a war with Spain, he was infinitely offended; so that he wanted only a resolute and brisk counsellor to assist him in destroying him: and such a one he promised himself in the arrival of the earl of Bristol, whom he expected every day.

He had another exception against the duke, which touched him as near, and in which he enlarged himself much more. Lionel Cranfeild, who, though extracted from a gentleman's family, had been bred in the city, and, being a man of great wit and understanding in all the mysteries of trade, had found means to work himself into the good opinion and favour of the duke of Buckingham; and having shortly after married a near ally of the duke's, with wonderful expedition was made a privy-counsellor, master of the wardrobe, master of the wards, and, without parting with any of these, was now become lord high treasurer of England, and earl of Middlesex, and had in truth gained so much credit with the king, (being in truth a man of great parts and notable dexterity), that, during the duke's absence in Spain, he was not only negligent in the issuing out such sums of money as were necessary to the defraying those unlimited expenses, and to correspond with him with that deference he had used to do, but had the courage to dispute his commands, and to appeal to the king, whose ear was always inclined to him, and in whom he began to believe himself so far fastened, that he should not stand in need of the future support of the favourite. And of all this the duke could not be without ample information, as well from his own creatures, who were near enough to observe, as from others; who, caring for neither of them, were more scandalized at so precipitate a promotion of a person of such an education, and whom they had long known so much their inferior, though it could not be denied, that he filled the places he held with great abilities.

The duke no sooner found the parliament disposed to a good opinion of him, and being well assured of the prince's fast kindness, than he projected the ruin of this bold rival of his, of whom he saw clearly enough that the king had so good an opinion, that it would not be in his sole power to crush him, as he had done others in the same and as high a station. And so he easily procured some leading men in the house of commons, to cause an impeachment for several corruptions and misdemeanours to be sent up to the house of peers against that great minister, whom they had so lately known their equal in that house; which (besides their natural inclination to those kinds of executions) dis-

posed them with great alacrity to the prosecution. The wise king knew well enough the ill consequence that must attend such an activity; and that it would shake his own authority in the choice of his own ministers, when they should find, that their security did not depend solely upon his own protection: which breach upon his kingly power was so much without a precedent, (except one unhappy one made three years before, to gratify likewise a private displeasure,) that the like had not been practised in some hundred of years, and never in such a case as this.

When this prosecution was first entered upon, and that the king clearly discerned that it was contrived by the duke, and that he had likewise prevailed with the prince to be well pleased with it; his majesty sent for them, and with much warmth and passion dissuaded them from appearing farther in it; and conjured them "to use all their interest and authority to restrain it, as such a wound to the crown, that would not be easily healed." And when he found the duke unmoved by all the considerations, and arguments, and commands he had offered, he said, in great choler, "By God, Stenny, you are a fool, and will shortly repent this folly, and will find, that, in this fit of popularity, you are making a rod, with which you will be scourged yourself." And turning in some anger to the prince, told him, "That he would live to have his bellyfull of parliaments: and that when he should be dead, he would have too much cause to remember, how much he had contributed to the weakening of the crown, by this precedent he was now so fond of;" intending as well the engaging the parliament in the war, as the prosecution of the earl of Middlesex.

But the duke's power (supported by the prince's countenance) was grown so great in the two houses, that it was in vain for the king to interpose; and so (notwithstanding so good a defence made by the earl, that he was absolved from any notorious crime by the impartial opinion of many of those who heard all the evidence) he was at last condemned in a great fine to a long and strict imprisonment, and never to sit in parliament during his life: a clause of such a nature as was never before found in any judgment of parliament, and, in truth, not to be inflicted upon any peer but by attainder.

And how alienated soever the king's affection was in truth from the duke, upon these three provocations; 1. The prince's journey into Spain; 2. The engaging the parliament to break the match and treaty with Spain, and to make a war against that crown; and, 3. The sacrificing the earl of Middlesex in such a manner, upon his own animosity; yet he was so far from thinking fit to manifest it, (except in whispers to very few men,) that he was prevailed with to restrain the earl of Bristol upon his first arrival, without permitting him to come into his presence, which he had positively promised, and resolved to do; and in the end suffered his attorney general to exhibit a charge of high treason, in his majesty's name, against the said earl, who was thereupon committed to the Tower; but so little dejected with it, that he answered the articles with great steadiness and unconcernedness, and exhibited another charge of high treason against the duke in many particulars.

And in this order and method the war was hastily entered into against Spain, and a new

treaty set on foot for the prince of Wales with the daughter of France; which was quickly concluded, though not executed till after the death of king James; who, in the spring following, after a short indisposition by the gout, fell into a quartan ague, which, meeting many humours in a fat, unwieldy body of [fifty-eight] years old, in four or five fits carried him out of the world. After whose death many scandalous and libellous discourses were raised, without the least colour or ground; as appeared upon the strictest and malicious examination that could be made, long after, in a time of license, when nobody was afraid of offending majesty, and when prosecuting the highest reproaches and contumelies against the royal family was held very meritorious.

Upon the death of king James, Charles prince of Wales succeeded to the crown, with as universal a joy in the people as can be imagined, and in a conjuncture, when all the other parts of Christendom, being engaged in war, were very solicitous for his friendship; and the more, because he had already discovered an activity, that was not like to suffer him to sit still. The duke continued in the same degree of favour at the least with the son, which he had enjoyed so many years under the father. Which was a rare felicity; seldom known, and in which the expectation of very many was exceedingly disappointed; who, knowing the great jealousy and indignation that the prince had heretofore had against the duke, insomuch as he was once very near striking him, expected that he would now remember that insolence, of which he then so often complained; without considering the opportunity the duke had, by the conversation with the prince, during his journey into Spain, (which was so grateful to him,) and whilst he was there, to wipe out the memory of all former oversights, by making them appear to be of a less magnitude than they had been understood before, and to be excusable from other causes, still being severe enough to himself for his unwary part, whatsoever excuses he might make for the excess; and by this means to make new vows for himself, and to tie new knots to restrain the prince from future jealousies. And it is very true, his hopes in this kind never failed him; the new king, from the death of the old even to the death of the duke himself, discovering the most entire confidence in, and even friendship to him, that ever king had shewed to any subject: all preferments in church and state given by him; all his kindred and friends promoted to the degree in honour, or riches, or offices, as he thought fit, and all his enemies and enviers discountenanced, and kept at that distance from the court as he appointed.

But a parliament was necessary to be called, as at the entrance of all kings to the crown, for the continuance of some supplies and revenue to the king, which have been still used to be granted in that season. And now he quickly found how prophetic the last king's predictions had [proved], and were like to prove. The parliament that had so furiously advanced the war, and so factiously adhered to his person, was now no more; and though the house of peers consisted still of the same men, and most of the principal men of the house of commons were again elected to serve in this parliament, yet they were far from wedding the war, or taking themselves to be concerned to make good any declarations made by the former: so that,





Engraved by W. Fawcett.

**LIONEL CRANFIELD, EARL OF MIDDLESEX.**

**OB. 1646.**

**FROM THE ORIGINAL OF MYTENS IN THE COLLECTION OF**

**HIS GRACE, THE DUKE OF DORSET**





though the war was entered in, all hope of obtaining money to carry it on was even desperate; and the affection they had for the duke, and confidence in him, was not then so manifest, as the prejudice they had now, and animosity against him, was visible to all the world: all the actions of his life ripped up and surveyed, and all malicious glosses made upon all he had said and all he had done: votes and remonstrances passed against him as an enemy to the public; and his ill management made the ground of their refusal to give the king that supply he had reason to expect, and was absolutely necessary to the state he was in. And this kind of treatment was so ill suited to the duke's great spirit, which indeed might easily have been bowed, but could very hardly be broken, that it wrought contrary effects upon his high mind, and his indignation, to find himself so used by the same men. For they who flattered him most before, mentioned him now with the greatest bitterness and acrimony; and the same men who had called him our saviour, for bringing the prince safe out of Spain, called him now the corrupter of the king, and betrayer of the liberties of the people, without imputing the least crime to him, to have been committed since the time of that exalted adulation, or that was not then as much known to them, as it could be now; so fluctuating and unsteady a testimony is the applause of popular councils.

This indignation, I say, so transported the duke, that he thought it necessary to publish and manifest a greater contempt of them than he should have done; causing this and the next parliament to be quickly dissolved, as soon as they seemed to entertain counsels not grateful to him, and before he could well determine and judge what their temper was in truth like to prove: and upon every dissolution, such who had given any offence were imprisoned or disgraced; new projects were every day set on foot for money, which served only to offend and incense the people, and brought little supply to the king's occasions, yet raised a great stock for expostulation, murmur, and complaint, to be exposed when other supplies should be required. And many persons of the best quality and condition under the peerage were committed to several prisons, with circumstances unusual and unheard of, for refusing to pay money required by those extraordinary ways; and the duke himself would passionately say, and frequently do, many things, which only grieved his friends and incensed his enemies, and gave them as well the ability as the inclination to do him much harm.

In this fatal conjuncture, and after several costly embassies into France, in the last of which the duke himself went, and brought triumphantly home with him the queen, to the joy of the nation; in a time, when all endeavours should have been used to have extinguished that war, in which the kingdom was so unhappily engaged against Spain, a new war was as precipitately declared against France; and the fleet, that had been unwarily designed to have surprised Calais, under a general very unequal to that great work, was no sooner returned without success, and with much damage, than the fleet was repaired, and the army reinforced for the invasion of France; in which the duke was general himself, and made that notable descent upon the Isle of Rhé, which was quickly afterwards attended with many unprosperous attempts, and then with a miserable retreat, in which the flower

of the army was lost. So that how ill soever Spain and France were inclined to each other, they were both mortal enemies to England; whilst England itself was so totally taken up with the thought of revenge upon the person who they thought had been the cause of their distress, that they never considered, that the sad effects of it (if not instantly provided against) must inevitably destroy the kingdom; and gave no truce to their rage, till the duke finished his course by the wicked means mentioned before in the fourth year of the king, and the thirty-sixth of his age.

John Felton, an obscure person, who had been bred a soldier, and lately a lieutenant of a foot company, whose captain had been killed upon the retreat at the Isle of Rhé, upon which he conceived that the company of right ought to have been conferred upon him, and it being refused to him by the duke of Buckingham, general of the army, he had given up his commission of lieutenant, and withdrawn himself from the army. He was of a melancholic nature, and had little conversation with anybody, yet of a gentleman's family in Suffolk, of good fortune and reputation. From the time that he had quitted the army, he resided in London; when the house of commons, transported with passion and prejudice against the duke of Buckingham, had accused him to the house of peers for several misdemeanours and miscarriages, and in some declaration had styled him, "the cause of all the evils the kingdom suffered, "and an enemy to the public."

Some transcripts of such expressions, (for the late license of printing all mutinous and seditious discourses was not yet in fashion,) and some general invectives he met with amongst the people, to whom that great man was not grateful, wrought so far upon this melancholic gentleman, that, by degrees, and (as he said upon some of his examinations) by frequently hearing some popular preachers in the city, (who were not yet arrived at the presumption and impudence they have been since transported with,) he believed he should do God good service, if he killed the duke; which he shortly after resolved to do. He chose no other instrument to do it with than an ordinary knife, which he bought of a common cutler for a shilling: and, thus provided, he repaired to Portsmouth, where he arrived the eve of St. Bartholomew. The duke was then there, in order to the preparing and making ready the fleet and the army, with which he resolved in few days to transport himself to the relief of Rochelle, which was then straitly besieged by the cardinal of Richelieu; and for relief whereof the duke was the more obliged, by reason that, at his being at the Isle of Rhé, he had received great supplies of victual, and some companies of their garrison from that town, the want of both which they were at this time very sensible of, and grieved with.

This morning of St. Bartholomew the duke had received letters, in which he was advertised that Rochelle had relieved itself; upon which he directed that his breakfast might speedily be made ready, and he would make haste to acquaint the king with the good news, the court being then at Southwick, the house of sir Daniel Norton, five miles from Portsmouth. The chamber wherein he was dressing himself was full of company, of persons of quality, and officers of the fleet and army.

There was monsieur de Soubise, brother to the duke of Rohan, and other French gentlemen, who were very solicitous for the embarkation of the army, and for the departure of the fleet for the relief of Rochelle; and they were at this time in much trouble and perplexity, out of apprehension that the news the duke had received that morning might slacken the preparations for the voyage, which their impatience and interest persuaded were not advanced with expedition; and so they had then held much discourse with the duke of the impossibility that his intelligence could be true, and that it was contrived by the artifice and dexterity of their enemies, in order to abate the warmth and zeal that was used for their relief, the arrival of which they had so much reason to apprehend; and a little longer delay in sending it would ease them of that terrible apprehension, their forts and works toward the sea and in the harbour being almost finished.

This discourse, according to the natural custom of that nation, and by the usual dialect of that language, was held with that passion and vehemence, that the standers by, who understood not French, did believe that they were very angry, and that they used the duke very rudely. He being ready, and informed that his breakfast was ready, drew towards the door, where the hangings were held up; and, in the very passage, turning himself to speak with sir Thomas Fryer, a colonel of the army, who was then speaking near his ear, he was on a sudden struck over his shoulder upon the breast with a knife; upon which, without using any other words but that, "The villain hath killed me," and in the same moment pulling out the knife himself, he fell down dead, the knife having pierced his heart.

No man had seen the blow, or the man who made it; but in the confusion they were in, every man made his own conjectures, and declared it as a thing known; most agreeing that it was done by the French, from the angry discourse they thought they heard from them. And it was a kind of a miracle, that they were not all killed in that instant; the soberer sort, that preserved them from it, having the same opinion of their guilt, and only reserving them for a more judicial examination and proceeding.

In the crowd near the door there was found upon the ground a hat, in the inside whereof there was sewed upon the crown a paper, in which were writ four or five lines of that declaration made by the house of commons, in which they had styled the duke an enemy to the kingdom, and under it a short ejaculation or two towards a prayer. It was easily enough concluded that the hat belonged to the person who had committed the murder: but the difficulty remained still as great, who that person should be; for the writing discovered nothing of the name; and whosoever it was, it was very natural to believe that he was gone far enough not to be found without a hat.

In this hurry, one running one way, another another way, a man was seen walking before the door very composedly without a hat; whereupon one crying out, "Here is the fellow that killed the duke!" upon which others ran thither, every body asking, "Which is he? Which is he?" To which the man without the hat very composedly answered, "I am he." Thereupon some of those who were most furious, suddenly ran upon the

man with their drawn swords to kill him; but others, who were at least equally concerned in the loss, and in the sense of it, defended him; himself with open arms very calmly and cheerfully exposing himself to the fury and swords of the most enraged, as being very willing to fall a sacrifice to their sudden anger, rather than to be kept for that deliberate justice which he knew must be exercised upon him.

He was now known enough, and easily discovered to be that Felton, whom we mentioned before, who had been a lieutenant in the army. He was quickly carried into a private room by the persons of the best condition, some whereof were in authority, who first thought fit so far to dissemble, as to mention the duke only as grievously wounded, but not without hope of recovery. Upon which Felton smiled, and said, he knew well he had given him a blow, that had determined all those hopes. Being then asked (which was the discovery principally aimed at) by whose instigation he had performed that horrid and wicked act, he answered them with a wonderful assurance, "That they should not trouble themselves in that inquiry; that no man living had credit or power enough in him, to have engaged or disposed him to such an action; that he had never intrusted his purpose and resolution to any man; that it proceeded only from himself and the impulsion of his own conscience; and that the motives thereunto would appear, if his hat were found, in which he had therefore fixed them, because he believed it very probable that he might perish in the attempt. He confessed that he had come to the town but the night before, and had kept his lodging, that he might not be seen or taken notice of; and that he had come that morning to the duke's lodging, where he had waited at the door for his coming out; and when he found, by the motions within, that he was coming, he drew to the door, as if he held up the hanging; and sir Thomas Fryer speaking at that time to the duke, as hath been said, and being of a much lower stature than the duke, who a little inclined towards him, he took the opportunity of giving the blow over his shoulder."

He spoke very frankly of what he had done, and bore the reproaches of those who spoke to him, with the temper of a man who thought he had not done amiss. But after he had been in prison some time, where he was treated without any rigour, and with humanity enough; and before, and at his trial, which was about four months after, at the king's bench bar, he behaved himself with great modesty and wonderful repentance; being, as he said, convinced in his conscience, that he had done wickedly, and asked the pardon of the king, the duchess, and of all the duke's servants, whom he acknowledged to have offended; and very earnestly besought the judges, that he might have his hand struck off, with which he had performed that impious act, before he should be put to death.

The court was too near Portsmouth, and too many courtiers upon the place, to have this murder (so wonderful in the nature and circumstances, the like whereof had not been known in England in many ages) long concealed from the king. His majesty was at the public prayers of the church, when sir John Hippeasy came into the room, with a troubled countenance, and, without any pause in



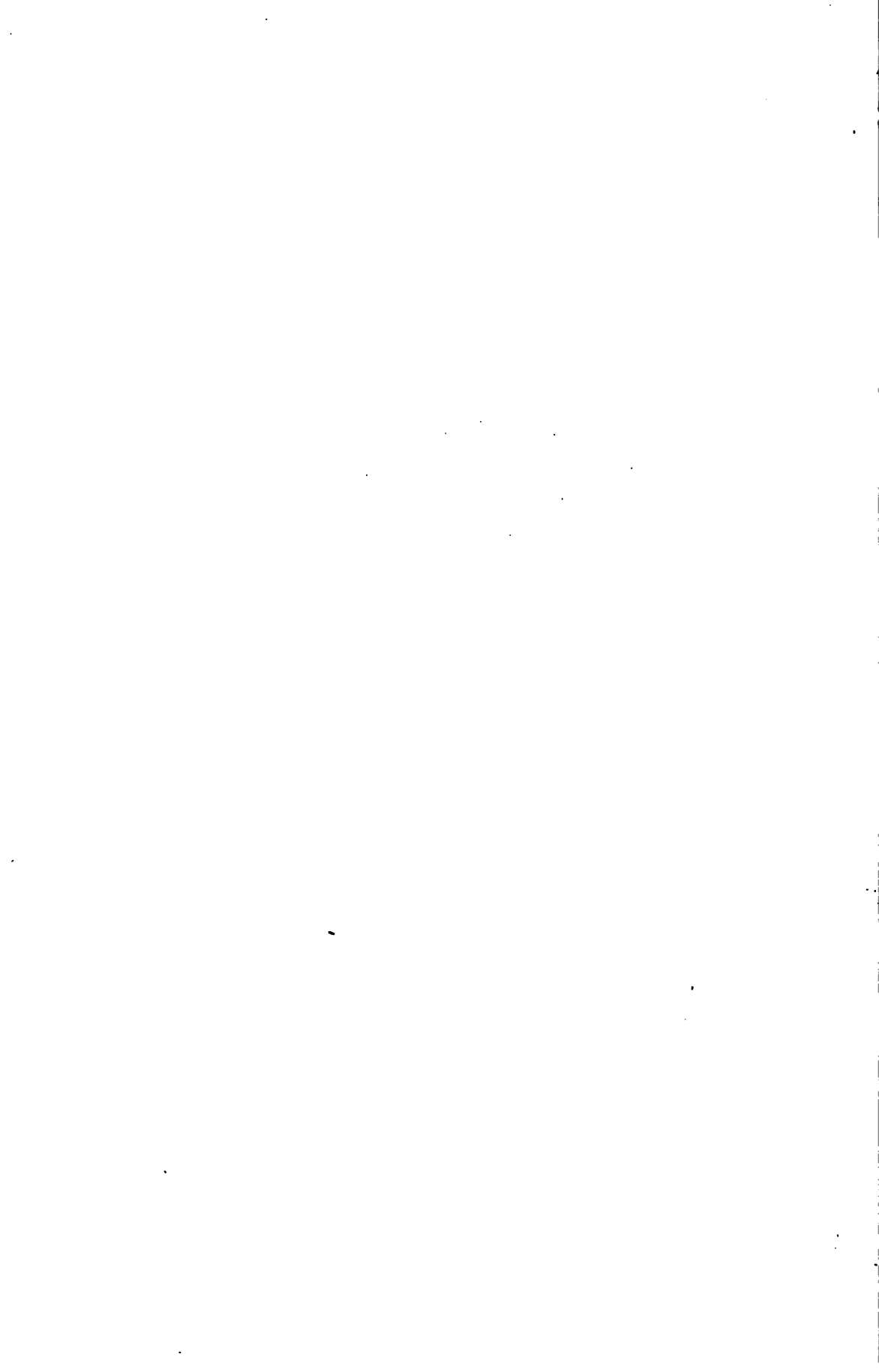


Engraved by J. Goussier

**GEORGE VILLIERS, DUKE OF BUCKINGHAM**

**OB 1628**

**FROM THE ORIGINAL OF JANSEN IN THE COLLECTION OF  
THE RIGHT HON<sup>ble</sup> THE EARL OF CLARENDON**



respect of the exercise they were performing, went directly to the king, and whispered in his ear what had fallen out. His majesty continued unmoved, and without the least change in his countenance, till prayers were ended; when he suddenly departed to his chamber, and threw himself upon his bed, lamenting with much passion, and with abundance of tears, the loss he had of an excellent servant, and the horrid manner in which he had been deprived of him; and he continued in this melancholic and discomposure of mind many days.

Yet the manner of his receiving the news in public, when it was first brought to him in the presence of so many, (who knew or saw nothing of the passion he expressed upon his retreat,) made many men to believe that the accident was not very ungrateful; at least, that it was very indifferent to him; as being rid of a servant very ungracious to the people, and the prejudice to whose person exceedingly obstructed all overtures made in parliament for his service.

And, upon this observation, persons of all conditions took great license in speaking of the person of the duke, and dissecting all his infirmities, believing they should not thereby incur any displeasure of the king. In which they took very ill measures; for from that time almost to the time of his own death, the king admitted very few into any degree of trust, who had ever discovered themselves to be enemies to the duke, or against whom he had ever manifested a notable prejudice. And sure never any prince manifested a more lively regret for the loss of a servant, than his majesty did for this great man, in his constant favour and kindness to his wife and children, in a wonderful solicitous care for the payment of his debts, (which, it is very true, were contracted for his service; though in such a manner, that there remained no evidence of it, nor was any of the duke's officers intrusted with the knowledge of it, nor was there any record of it, but in his majesty's own generous memory,) and all offices of grace towards his servants.

After all this, and such a transcendent mixture of ill fortune, of which as ill conduct and great infirmities seem to be the foundation and source, this great man was a person of a noble nature, and generous disposition, and of such other endowments, as made him very capable of being a great favourite to a great king. He understood the arts and artifices of a court, and all the learning that is professed there, exactly well. By long practice in business, under a master that discoursed excellently, and surely knew all things wonderfully, and took much delight in indoctrinating his young unexperienced favourite, who, he knew, would be always looked upon as the workmanship of his own hands, he had obtained a quick conception, and apprehension of business, and had the habit of speaking very gracefully and pertinently. He was of a most flowing courtesy and affability to all men who made any address to him; and so desirous to oblige them, that he did not enough consider the value of the obligation, or the merit of the person he chose to oblige; from which much of his misfortune resulted. He was of a courage not to be daunted, which was manifested in all his actions, and his contests with particular persons of the greatest reputation; and especially in his whole

demeanour at the Isle of Rhé, both at the landing and upon the retreat: in both which no man was more fearless, or more ready to expose himself to the brightest dangers. His kindness and affection to his friends was so vehement, that it was as so many marriages for better and worse, and so many leagues offensive and defensive; as if he thought himself obliged to love all his friends, and to make war upon all they were angry with, let the cause be what it would. And it cannot be denied that he was an enemy in the same excess, and prosecuted those he looked upon as his enemies with the utmost rigour and animosity, and was not easily induced to a reconciliation. And yet there were some examples of his receding in that particular. And in the highest passion, he was so far from stooping to any dissimulation, whereby his displeasure might be concealed and covered till he had attained his revenge, (the low method of courts,) that he never endeavoured to do any man an ill office, before he first told him what he was to expect from him, and reproached him with the injuries he had done, with so much generosity, that the person found it in his power to receive further satisfaction, in the way he would choose for himself.

And in this manner he proceeded with the earl of Oxford, a man of great name in that time, and whom he had endeavoured by many civil offices to make his friend, and who seemed equally to incline to the friendship: when he discovered (or, as many thought, but suspected) that the earl was entered into some cabal in parliament against him; he could not be dissuaded by any of his friends, to whom he imparted his resolution; but meeting the earl the next day, he took him aside, and after many reproaches for such and such ill offices he had done, and for breaking his word towards him, he told him, "he would rely no longer on his friendship, nor should he expect any further friendship from him, but, on the contrary, he would be for ever his enemy, and do him all the mischief he could." The earl, (who, as many thought, had not been faulty towards him, was as great-hearted as he, and thought the very suspecting him to be an injury unpardonable,) without any reply to the particulars, declared, "that he neither cared for his friendship, nor feared his hatred;" and from thence avowedly entered into the conversation and confidence of those who were always awake to discover, and solicitous to pursue, any thing that might prove to his disadvantage; which was of evil consequence to the duke, the earl being of the most ancient of the nobility, and a man of great courage, and of a family which had in no time swerved from its fidelity to the crown.

Sir Francis Cottington, who was secretary to the prince, and not grown courtier enough to dissemble well his opinion, had given the duke offence before the journey into Spain, as is before touched upon, and improved that prejudice, after his coming thither, by disposing the prince all he could to the marriage of the infants; and by his behaviour after his return, in justifying to king James, who had a very good opinion of him, the sincerity of the Spaniards in the treaty of the marriage, "That they did in truth desire it, and were fully resolved to gratify his majesty in the business of the palatinate; and only desired, in the manner



"of it, to gratify the emperor and the duke of Bavaria all they could, which would take up very little time." All which being so contrary to the duke's positions and purposes, his displeasure to Cottington was sufficiently manifest. And king James was no sooner dead, and the new officers and orders made, but the profits and privileges which had used to be continued to him who had been secretary, till some other promotion, were all retrenched. And when he was one morning attending in the privy lodgings, as he was accustomed to do, one of the secretaries of state came to him, and told him, "that it was the king's pleasure that he should no more presume to come into those rooms;" (which was the first instance he had received of the king's disfavour;) and at the same instant the duke entered into that quarter. Upon which sir Francis Cottington addressed himself towards him, and desired "he would give him leave to speak to him:" upon which the duke inclining his ear, moved to a window from the company, and the other told him, "that he received every day fresh marks of his severity;" mentioned the message which had been then delivered to him, and desired only to know, "whether it could not be in his power, by all dutiful application, and all possible service, to be restored to the good opinion his grace had once vouchsafed to have of him, and to be admitted to serve him?" The duke heard him without the least commotion, and with a countenance serene enough, and then answered him, "That he would deal very clearly with him; that it was utterly impossible to bring that to pass which he had proposed: that he was not only firmly resolved never to trust him, or to have to do with him; but that he was, and would be always, his declared enemy; and that he would do always whatever should be in his power to ruin and destroy him, and of this he might be most assured;" without mentioning any particular ground for his so heightened displeasure.

The other very calmly replied to him, (as he was master of an incomparable temper,) "That since he was resolved never to do him good, that he hoped, from his justice and generosity, that he would not suffer himself to gain by his loss; that he had laid out by his command so much money for jewels and pictures, which he had received: and that, in hope of his future favour, he had once presented a suit of hangings to him, which cost him 800*l.* which he hoped he would cause to be restored to him, and that he would not let him be so great a loser by him." The duke answered, "he was in the right; that he should the next morning go to Oliver, (who was his receiver,) and give him a particular account of all the money due to him, and he should presently pay him;" which was done the next morning accordingly, without the least abatement of any of his demands.

And he was so far reconciled to him before his death, that being resolved to make a peace with Spain, to the end he might more vigorously pursue the war with France, (to which his heart was most passionately fixed,) he sent for Cottington to come to him, and after conference with him, told him, "the king would send him ambassador thither, and that he should attend him at Portsmouth for his despatch."

His single misfortune was, (which indeed was productive of many greater,) that he never made a noble and a worthy friendship with a man so near his equal, that he would frankly advise him for his honour and true interest, against the current, or rather the torrent, of his impetuous passion; which was partly the vice of the time, when the court was not replenished with great choice of excellent men; and partly the vice of the persons who were most worthy to be applied to, and looked upon his youth, and his obscurity, as obligations upon him to gain their friendships by extraordinary application. Then his ascent was so quick, that it seemed rather a flight than a growth; and he was such a darling of fortune, that he was at the top before he was seen at the bottom, for the gradation of his titles was the effect, not cause, of his first promotion; and, as if he had been born a favourite, he was supreme the first month he came to court; and it was want of confidence, not of credit, that he had not all at first which he obtained afterwards; never meeting with the least obstruction from his setting out, till he was as great as he could be: so that he wanted dependants before he thought he could want coadjutors. Nor was he very fortunate in the election of those dependants, very few of his servants having been ever qualified enough to assist or advise him, and were intent only upon growing rich under him, not upon their master's growing good as well as great: insomuch as he was throughout his fortune a much wiser man than any servant or friend he had.

Let the fault or misfortune be what or whence it will, it may very reasonably be believed, that, if he had been blessed with one faithful friend, who had been qualified with wisdom and integrity, that great person would have committed as few faults, and done as transcendent worthy actions, as any man who shined in such a sphere in that age in Europe. For he was of an excellent nature, and of a capacity very capable of advice and counsel. He was in his nature just and candid, liberal, generous, and bountiful; nor was it ever known, that the temptation of money swayed him to do an unjust or unkind thing. And though he left a very great inheritance to his heirs; considering the vast fortune he inherited by his wife, the sole daughter and heir of Francis earl of Rutland, he owed no part of it to his own industry or solicitation, but to the impatient humour of two kings his masters, who would make his fortune equal to his titles, and the one [as much] above other men, as the other was. And he considered it no otherwise than as theirs, and left it at his death engaged for the crown, almost to the value of it, as is touched upon before.

If he had an immoderate ambition, with which he was charged; and is a weed (if it be a weed) apt to grow in the best soils; it doth not appear that it was in his nature, or that he brought it with him to the court, but rather found it there, and was a garment necessary for that air. Nor was it more in his power to be without promotion, and titles, and wealth, than for a healthy man to sit in the sun in the brightest dog-days, and remain without any warmth. He needed no ambition, who was so seated in the hearts of two such masters.

There are two particulars, which lie heaviest

upon his memory, either of them aggravated by circumstances very important, and which administer frequent occasions by their effects to be remembered.

The first, his engaging his old unwilling master and the kingdom in the war with Spain, (not to mention the bold journey thither, or the breach of that match,) in a time when the crown was so poor, and the people more inclined to a bold inquiry, how it came to be so, than dutifully to provide for its supply: and this only upon personal animosities between him and the duke of Olivarez, the sole favourite in that court, and those animosities from very trivial provocations, and flowed indeed from no other fountain, than that the nature and education of Spain restrained men from that gaiety of humour, and from that frolic humour, to which the prince's court was more inclined. And Olivarez had been heard to censure very severely the duke's familiarity and want of respect towards the prince, (a crime monstrous to the Spaniard,) and had said, that "if the infanta did not, as soon as she was married, suppress that license, she would herself quickly undergo the mischief of it:" which gave the first alarm to the duke to apprehend his own ruin in that union, and accordingly to use all his endeavours to break and prevent it: and from that time he took all occasions to quarrel with and reproach the Conde duke.

One morning the king desired the prince to take the air, and to visit a little house of pleasure he had (the Prado) four miles from Madrid, standing in a forest, where he used sometimes to hunt; and the duke not being ready, the king and the prince and the infante don Carlos went into the coach, the king likewise calling the earl of Bristol into that coach to assist them in their conversation, the prince then not speaking any Spanish; and left Olivarez to follow in the coach with the duke of Buckingham. When the duke came, they went into the coach, accompanied with others of both nations, and proceeded very cheerfully towards overtaking the king: but when upon the way he heard that the earl of Bristol was in the coach with the king, he broke out into great passion, reviled the Conde duke as the contriver of the affront, reproached the earl of Bristol for his presumption, in taking the place which in all respects belonged to him, who was joined with him as ambassador extraordinary, and came last from the presence of their master, and resolved to go out of the coach, and to return to Madrid. Olivarez easily discovered by the disorder, and the noise, and the tone, that the duke was very angry, without comprehending the cause of it; only found that the earl of Bristol was often named with such a tone, that he began to suspect what in truth might be the cause. And thereupon he commanded a gentleman, who was on horseback, with all speed to overtake the king's coach, and desire that it might stay; intimating, that the duke had taken some displeasure, the ground whereof was not enough understood. Upon which the king's coach stayed; and when the other approached within distance, the Conde duke alighted, and acquainted the king with what he had observed, and what he conceived. The king himself alighted, made great compliments to the duke, the earl of Bristol excusing himself upon the king's command, that he should serve as a trustman. In

the end don Carlos went into the coach with the favourite, and the duke and the earl of Bristol went with the king and the prince; and so they prosecuted their journey, and after dinner returned in the same manner to Madrid.

This, with all the circumstances of it, administered wonderful occasion of discourse in the court and country, there having never been such a comet seen in that hemisphere; and their submissive reverence to their princes being a vital part of their religion.

There were very few days passed afterwards, in which there was not some manifestation of the highest displeasure and hatred in the duke against the other. And when the Conde duke had some eclaireissement with the duke, in which he made all the protestations of his sincere affection, and his desire to maintain a clear and faithful friendship with him, which he conceived might be, in some degree, useful to both their masters; the other received his protestations with all contempt, and declared, with a very unnecessary frankness, "that he would have no friendship with him."

And the next day after the king returned from accompanying the prince towards the sea, where, at parting, there were all possible demonstrations of mutual affection between them; and the king caused a fair pillar to be erected in the place where they last embraced each other, with inscriptions of great honour to the prince; their being then in that court not the least suspicion, or imagination, that the marriage would not succeed. Insomuch that afterwards, upon the news from Rome, that the dispensation was granted, the prince having left the desponsorios in the hands of the earl of Bristol, in which the infante don Carlos was constituted the prince's proxy to marry the infanta on his behalf; she was treated as princess of Wales, the queen gave her place, and the English ambassador had frequent audiences, as with his mistress, in which he would not be covered: yet, I say, the very next day after the prince's departure from the king, Mr. Clark, one of the prince's bedchamber, who had formerly served the duke, was sent back to Madrid, upon pretence that somewhat was forgotten there, but in truth, with orders to the earl of Bristol not to deliver the desponsorios (which, by the articles, he was obliged to do within fifteen days after the arrival of the dispensation) until he should receive further orders from the prince, or king, after his return into England.

Mr. Clark was not to deliver this letter to the ambassador, till he was sure the dispensation was come; of which he could not be advertised in the instant. But he lodging in the ambassador's house, and falling sick of a calenture, which the physicians thought would prove mortal, he sent for the earl to come to his bedside, and delivered him the letter before the arrival of the dispensation, though long after it was known to be granted; upon which all those ceremonies were performed to the infanta.

By these means, and by this method, this great affair, upon which the eyes of Christendom had been so long fixed, came to be dissolved, without the least mixture with, or contribution from, those amours, which were afterwards so confidently discoursed of. For though the duke was naturally carried violently to those passions,

when there was any grace or beauty in the object; yet the duchess of Olivarez, of whom the talk was, was then a woman so old, past children, of so abject a presence, in a word, so crooked and deformed, that she could neither tempt his appetite, or magnify his revenge. And whatever he did afterwards in England was but *tueri opus*, and to prosecute the design he had, upon the reasons and provocations aforesaid, so long before contrived during his abode in Spain.

The other particular, by which he involved himself in so many fatal intricacies, from which he could never extricate himself, was, his running violently into the war with France, without any kind of provocation, and upon a particular passion very unwarrantable. In his embassy in France, where his person and presence was wonderfully admired and esteemed, (and in truth it was a wonder in the eyes of all men,) and in which he appeared with all the lustre the wealth of England could adorn him with, and outshined all the bravery that court could dress itself in, and overacted the whole nation in their own most peculiar vanities; he had the ambition to fix his eyes upon, and to dedicate his most violent affection to, a lady of a very sublime quality, and to pursue it with most importunate addresses: inasmuch as when the king had brought the queen his sister as far as he meant to do, and delivered her into the hands of the duke, to be by him conducted into England; the duke, in his journey, after his departure from that court, took a resolution once more to make a visit to that great lady, which he believed he might do with great privacy. But it was so easily discovered, that provision was made for his reception; and if he had pursued his attempt, he had been without doubt assassinated; of which he had only so much notice, as served him to decline the danger. But he swore, in the instant, "that he would see and speak with that lady, in spite of the strength and power of France." And from the time that the queen arrived in England, he took all the ways he could to undervalue and exasperate that court and nation, by causing all those who fled into England from the justice and displeasure of that king, to be received and entertained here, not only with ceremony and security, but with bounty and magnificence; and the more extraordinary the persons were, and the more notorious the king's displeasure was towards them, (as in that time there were very many lords and ladies of that class,) the more respectfully they were received and esteemed. He omitted no opportunity to incense the king against France, and to dispose him to assist the Hugonots, whom he likewise encouraged to give their king some trouble.

And, which was worse than all this, he took great pains to lessen the king's affection towards his young queen, being exceedingly jealous, lest her interest might be of force enough to cross his other designs: and in this stratagem, he so far swerved from the instinct of his nature and his proper inclinations, that he, who was compounded of all the elements of affability and courtesy towards all kind of people, had brought himself to a habit of neglect, and even of rudeness, towards the queen.

One day, when he unjustly apprehended that she had shewed some disrespect to his mother, in not going to her lodging at an hour she had

intended to do, and was hindered by a very accident, he came into her chamber in much passion, and, after some expostulations rude enough, he told her, "she should repent it." And her majesty answering with some quickness, he replied insolently to her, "that there had been queens in England who had lost their heads." And it was universally known, that, during his life, the queen never had any credit with the king, with reference to any public affairs, and so could not divert the resolution of making a war with France.

The war with Spain had found the nation in a surfeit of a long peace, and in a disposition inclinable enough to war with that nation, which might put an end to an alliance the most ungrateful to them, and which they most feared, and from whence no other damage had yet befallen them, than a chargeable and unsuccessful voyage by sea, without the loss of ships or men. But a war with France must be carried on at another rate and expense. Besides, the nation was weary and surfeited with the first, before the second was entered upon; and it was very visible to wise men, that when the general trade of the kingdom, from whence the support of the crown principally resulted, should be utterly extinguished with France, as it was with Spain, and interrupted or obstructed with all other places, (as it must be, in a war, how prosperously soever carried on,) the effects would be very sad, and involve the king in many perplexities; and it could not but fall out accordingly.

Upon the return from Cales without success, though all the ships, and, upon the matter, all the men were seen, (for though some had so surfeited in the vineyards, and with the wines, that they had been left behind, the generosity of the Spaniards had sent them all home again;) and though by that fleet's putting in at Plymouth, near two hundred miles from London, so that there could be very imperfect relations, and the news of yesterday was contradicted the morrow; besides the expedition had been undertaken by the advice of the parliament, and with an universal approbation of the people, so that nobody could reasonably speak loudly against it; yet, notwithstanding all this, the ill success was heavily borne, and imputed to ill conduct; the principal officers of the fleet and army divided amongst themselves, and all united in their murmurs against the general, the lord viscount Wimbledon; who, though an old officer in Holland, was never thought equal to the enterprise, and had in truth little more of a Holland officer than the pride and formality. In a word, there was indisposition enough quickly discovered against the war itself, that it was easily discerned it would not be pursued with the vigour it was entered into, nor carried on by any cheerful contribution of money from the public.

But the running into this war with France (from whence the queen was so newly and so joyfully received) without any colour of reason, or so much as the formality of a declaration from the king, containing the ground, and provocation, and end of it, according to custom and obligation in the like cases, (for it was observed that the declaration which was published was in the duke's own name, who went admiral and general of the expedition,) opened the mouths of all men to inveigh against it with all bitterness, and the sudden ill effects of it, manifested in the return of the fleet to Portsmouth,

within such a distance of London, that nothing could be concealed of the loss sustained; in which most noble families found a son, or brother, or near kinsman wanting, without such circumstances of their deaths which are usually the consolations and recompenses of such catastrophes. The retreat had been a rout without an enemy, and the French had their revenge by the disorder and confusion of the English themselves; in which great numbers of noble and ignoble were crowded to death, or drowned without the help of an enemy: and as many thousands of the common men were wanting, so few of those principal officers who had attained to a name in war, and by whose courage and experience any war was to be conducted, could be found.

The effects of this overthrow did not at first appear in whispers, murmurs, and invectives, as the retirement from Cales had done; but produced such a general consternation over the face of the whole nation, as if all the armies of France and Spain were united together, and had covered the land: mutinies in the fleet and army, under pretence of their want of pay, (whereof no doubt there was much due to them,) but in truth, out of detestation of the service, and the authority of the duke. The counties throughout the kingdom were so incensed, and their affections poisoned, that they refused to suffer the soldiers to be billeted upon them; by which they often underwent greater inconveniences and mischiefs than they endeavoured to prevent. The endeavour to raise new men for the recruit of the army by pressing (the only method that had ever been practised upon such occasions) found opposition in many places; and the authority by which it was done not submitted to, as illegal; which produced a resort to martial law, by which many were executed; which raised an asperity in the minds of more than of the common people. And this distemper was so universal, the least spark still meeting with combustible matter enough to make a flame, that all wise men looked upon it as the prediction of the destruction and dissolution that would follow. Nor was there a serenity in the countenance of any man, who had age and experience enough to consider things to come; but only in those who wished the destruction of the duke, and thought it could not be purchased at too dear a price, and looked upon this flux of humours as an inevitable way to bring it to pass.

And it cannot be denied, that from these two wars so wretchedly entered into, and the circumstances before mentioned, and which flowed from thence, the duke's ruin took its date: and never left pursuing him, till that execrable act upon his person; the malice whereof was contracted by that sole evil spirit of the time, without any partner in the conspiracy. And the venom of that season increased and got vigour, until, from one license to another, it proceeded till the nation was corrupted to that monstrous degree, that it grew satiated, and weary of the government itself; under which it had enjoyed a greater measure of felicity, than any nation was ever possessed of; and which could never be continued to them, but under the same. And as these calamities originally sprung from the inordinate appetite and passion of this young man, under the too much easiness of two indulgent masters, and the concurrence of a thousand other accidents; so that, if he had lived longer, (for he was taken away at the age of thirty-six years,) the

observation and experience he had, which had very much improved his understanding, with the greatness of his spirit, and jealousy of his master's honour, (to whom his fidelity was superior to any temptation,) might have repaired many of the inconveniences which he had introduced, and would have prevented the mischiefs which were the natural effects of those causes.

There were many stories scattered abroad at that time, of several prophecies and predictions of the duke's untimely and violent death. Amongst the rest there was one, which was upon a better foundation of credit than usually such discourses are founded upon. There was an officer in the king's wardrobe in Windsor castle, of a good reputation for honesty and discretion, and then about the age of fifty years, or more. This man had, in his youth, been bred in a school, in the parish where sir George Villiers, the father of the duke, lived, and had been much cherished and obliged, in that season of his age, by the said sir George, whom afterwards he never saw. About six months before the miserable end of the duke of Buckingham, about midnight, this man being in his bed at Windsor, where his office was, and in very good health, there appeared to him, on the side of his bed, a man of a very venerable aspect, who drew the curtains of his bed, and, fixing his eyes upon him, asked him, if he knew him. The poor man, half dead with fear and apprehension, being asked the second time, whether he remembered him; and having in that time called to his memory the presence of sir George Villiers, and the very clothes he used to wear, in which at that time he seemed to be habited, he answered, "that he thought him to be that person." He replied, "he was in the right; that he was the same, and that he expected a service from him; which was, that he should go from him to his son the duke of Buckingham, and tell him, if he did not do somewhat to ingratiate himself to the people, or, at least, to abate the extreme malice they had against him, he would be suffered to live a short time." And after this discourse he disappeared; and the poor man, if he had been at all waking, slept very well till morning, when he believed all this to be a dream, and considered it no otherwise.

The next night, or shortly after, the same person appeared to him again in the same place, and about the same time of the night, with an aspect a little more severe than before, and asked him, whether he had done as he had required him: and perceiving he had not, gave him very sharp reprehensions; told him, "he expected more compliance from him; and that, if he did not perform his commands, he should enjoy no peace of mind, but should be always pursued by him;" upon which, he promised him to obey him. But the next morning waking out of a good sleep, though he was exceedingly perplexed with the lively representation of all particulars to his memory, he was willing still to persuade himself that he had only dreamed; and considered, that he was a person at such a distance from the duke, that he knew not how to find any admission to his presence, much less had any hope to be believed in what he should say. And so with great trouble and uneasiness, he spent some time in thinking what he should do, and in the end resolved to do nothing in the matter.

The same person appeared to him the third time,

with a terrible countenance, and bitterly reproaching him for not performing what he had promised to do. The poor man had by this time recovered the courage to tell him, "That in truth he had deferred the execution of his commands, upon considering, how difficult a thing it would be for him to get any access to the duke, having acquaintance with no person about him; and if he could obtain admission to him, he should never be able to persuade him, that he was sent in such a manner; but he should at best be thought to be mad, or to be set on and employed, by his own or the malice of other men, to abuse the duke; and so he should be sure to be undone." The person replied, as he had done before, "That he should never find rest, till he should perform what he required; and therefore he were better to despatch it: that the access to his son was known to be very easy; and that few men waited long for him: and for the gaining him credit, he would tell him two or three particulars, which he charged him never to mention to any person living, but to the duke himself; and he should no sooner hear them, but he would believe all the rest he should say;" and so repeating his threats, he left him.

And in the morning, the poor man, more confirmed by the last appearance, made his journey to London; where the court then was. He was very well known to sir Ralph Freeman, one of the masters of requests, who had married a lady that was nearly allied to the duke, and was himself well received by him. To him this man went; and though he did not acquaint him with all particulars, he said enough to him to let him see there was somewhat extraordinary in it; and the knowledge he had of the sobriety and discretion of the man made the more impression in him. He desired that "by his means he might be brought to the duke; to such a place, and in such a manner, as should be thought fit: that he had much to say to him; and of such a nature, as would require much privacy, and some time and patience in the hearing." Sir Ralph promised "he would speak first with the duke of him, and then he should understand his pleasure:" and accordingly, in the first opportunity, he did inform him of the reputation and honesty of the man, and then what he desired, and of all he knew of the matter. The duke, according to his usual openness and condescension, told him, "That he was the next day early to hunt with the king; that his horses should attend him at Lambeth-bridge, where he would land by five of the clock in the morning; and if the man attended him there at that hour, he would walk, and speak with him, as long as should be necessary." Sir Ralph carried the man with him the next morning, and presented him to the duke at his landing, who received him courteously; and walked aside in conference near an hour, none but his own servants being at that hour in that place; and they and sir Ralph at such a distance, that they could not hear a word, though the duke sometimes spoke, and with great commotion; which sir Ralph the more easily observed, and perceived, because he kept his eyes always fixed upon the duke; having procured the conference, upon somewhat he knew there was of extraordinary. And the man told him in his return over the water, "That when he mentioned those particulars which were to gain him credit, the substance whereof

"he said he durst not impart to him, the duke's colour changed, and he swore he could come to that knowledge only by the devil; for that those particulars were only known to himself, and to one person more, who, he was sure, would never speak of it."

The duke pursued his purpose of hunting; but was observed to ride all the morning with great pensiveness, and in deep thoughts, without any delight in the exercise he was upon; and before the morning was spent, left the field, and alighted at his mother's lodgings in Whitehall; with whom he was shut up for the space of two or three hours; the noise of their discourse frequently reaching the ears of those who attended in the next rooms: and when the duke left her, his countenance appeared full of trouble, with a mixture of anger; a countenance that was never before observed in him; in any encounters with her: towards her he had ever a most profound reverence. And the countess herself (for though she was married to a private gentleman, sir Thomas Compton, she had been created countess of Buckingham, shortly after her son had first assumed that title) was, at the duke's leaving her, found overwhelmed in tears, and in the highest agony imaginable. Whatever there was of all this, it is a notorious truth, that when the news of the duke's murder (which happened within few months after) was brought to his mother, she seemed not in the least degree surprised; but received it as if she had foreseen it; nor did afterwards express such a degree of sorrow, as was expected from such a mother, for the loss of such a son.

This digression, much longer than it was intended, may not be thought altogether unnatural in this discourse. For as the mention of his death was very pertinent, in the place, and upon the occasion, it happened to be made; so upon that occasion it seemed the more reasonable to enlarge upon the nature, and character, and fortune of the duke; as being the best mirror to discern the temper and spirit of that age, and the rather and because all the particulars before set down are to be found in the papers and memorials of the person, whose life is the subject of this discourse, who was frequently heard to relate the wonderful concurrence of many fatal accidents, to disfigure the government of two excellent kings; under whom their kingdoms in general prospered exceedingly, and enjoyed a longer peace, a greater plenty, and in fuller security, than had been in any former age; and who was so far from any acrimony to the memory of that great favourite, (whose death he had lamented at that time, and endeavoured to vindicate him from some libels and reproaches, which vented after his death,) that he took delight in remembering his many virtues, and to magnify his affability and most obliging nature; and he kept the memorial of that prediction, (though no man looked upon relations of that nature with less reverence and consideration,) the substance of which (he said) was confirmed to him by sir Ralph Freeman, and acknowledged by some servants of the duke's, who had the nearest trust with him, and who were informed of much of it before the murder of the duke.

And because there was so total a change of all counsels, and in the whole face of the court, upon the death of that omnipotent favourite; all thoughts of war being presently laid aside, (though there

was a faint looking towards the relief of Rochelle by the fleet, that was ready under the command of the earl of Lindsey, and the provisions for peace and plenty taken to heart; it will not be unuseful nor unpleasant to enlarge the digression, before a return to the proper subject of the discourse, by a prospect of the constitution of the court, after that bright star was shot out of the horizon; who were the chief ministers, that had the principal management of public affairs in church and state; and how equal their faculties and qualifications were for those high transactions; in which mention shall be only made of those who were then in the highest trust; there being at that time no ladies, who had disposed themselves to intermeddle in business: and hereafter, when that activity began, and made any progress, it will be again necessary to take a new survey of the court upon that alteration.

Sir Thomas Coventry was then lord keeper of the great seal of England, and newly made a baron. He was a son of the robe, his father having been a judge in the court of the common pleas; who took great care to breed his son, though his first-born, in the study of the common law; by which himself had been promoted to that degree; and in which, in the society of the Inner Temple, his son made a notable progress, by an early eminence in practice and learning: insomuch as he was recorder of London, solicitor general, and king's attorney, before he was forty years of age. A rare ascent! All which offices he discharged with great abilities, and singular reputation of integrity. In the first year after the death of king James, he was advanced to be keeper of the great seal of England (the natural advancement from the office of attorney general) upon the removal of the bishop of Lincoln; who, though a man of great wit and good scholastic learning, was generally thought so very unequal to the place, that his remove was the only recompense and satisfaction that could be made for his promotion. And yet it was enough known, that the disgrace proceeded only from the private displeasure of the duke of Buckingham. The lord Coventry enjoyed this place with an universal reputation (and sure justice was never better administered) for the space of about sixteen years, even to his death, some months before he was sixty years of age; which was another important circumstance of his felicity, that great office being so slippery, that no man had died in it before for near the space of forty years. Nor had his successors, for some time after him, much better fortune. And he himself had use of all his strength and skill (as he was an excellent wrestler) to preserve himself from falling, in two shocks: the one given him by the earl of Portland, lord high treasurer of England; the other by the marquis of Hamilton, who had the greatest power over the affections of the king of any man of that time.

He was a man of wonderful gravity and wisdom; and understood not only the whole science and mystery of the law, at least equally with any man who had ever sate in that place; but had a clear conception of the whole policy of the government both of church and state, which, by the unskilfulness of some well-meaning men, justified each the other too much.

He knew the temper and disposition and genius of the kingdom most exactly; saw their spirits

grow every day more sturdy and inquisitive and impatient; and therefore naturally abhorred all innovations which he foresaw would produce ruinous effects. Yet many, who stood at a distance, thought that he was not active and stout enough in the opposing those innovations. For though, by his place, he presided in all public councils, and was most sharp-sighted in the consequence of things; yet he was seldom known to speak in matters of state, which, he well knew, were for the most part concluded, before they were brought to that public agitation; never in foreign affairs, which the vigour of his judgment could well comprehend; nor indeed freely in any thing, but what immediately and plainly concerned the justice of the kingdom; and in that, as much as he could, he procured references to the judges. Though in his nature he had not only a firm gravity, but a severity, and even some morosity, (which his children and domestics had evidence enough of,) yet it was so happily tempered, and his courtesy and affability towards all men was so transcendent, so much without affectation, that it marvellously reconciled to all men of all degrees, and he was looked upon as an excellent courtier, without receding from the native simplicity of his own manner.

He had, in the plain way of speaking and delivery, without much ornament of elocution, a strange power of making himself believed, the only justifiable design of eloquence: so that though he used very frankly to deny, and would never suffer any man to depart from him with an opinion that he was inclined to gratify, when in truth he was not, holding that dissimulation to be the worst of lying; yet the manner of it was so gentle and obliging, and his condescension such, to inform the persons whom he could not satisfy, that few departed from him with ill will, and ill wishes.

But then, this happy temper and these good faculties rather preserved him from having many enemies, and supplied him with some well-wishers, than furnished him with any fast and unshaken friends; who are always procured in courts by more ardour, and more vehement professions and applications, than he would suffer himself to be entangled with. So that he was a man rather exceedingly liked, than passionately loved: insomuch that it never appeared, that he had any one friend in the court, of quality enough to prevent or divert any disadvantage he might be exposed to. And therefore it is no wonder, nor to be imputed to him, that he retired within himself as much as he could, and stood upon his defence without making desperate sallies against growing mischiefs; which, he knew well, he had no power to hinder, and which might probably begin in his own ruin. To conclude; his security consisted very much in the little credit he had with the king; and he died in a season most opportune, and in which a wise man would have prayed to have finished his course, and which in truth crowned his other signal prosperity in the world.

Sir Richard Weston had been advanced to the white staff, to the office of lord high treasurer of England, some months before the death of the duke of Buckingham; and had, in that short time, so much obliged him, at least disappointed his expectation, that many, who were privy to the duke's most secret purposes, did believe, that, if he had

outlived that voyage in which he was engaged, he would have removed him, and made another treasurer. And it is very true, that great office too had been very slippery, and not fast to those who had trusted themselves in it: insomuch as there were at that time five noble persons alive, who had all succeeded one another immediately in that unsteady charge, without any other person intervening: the earl of Suffolk; the lord viscount Mandeville, afterwards earl of Manchester; the earl of Middlesex; and the earl of Marlborough, who was removed under pretence of his age and disability for the work, (which had been a better reason against his promotion, so few years before, that his infirmities were very little increased,) to make room for the present officer; who, though advanced by the duke, may properly be said to be established by his death.

He was a gentleman of a very good and ancient extraction by father and mother. His education had been very good amongst books and men. After some years study of the law in the Middle Temple, he travelled into foreign parts, and at an age fit to make observations and reflections; out of which, that which is commonly called experience is constituted. After this he betook himself to the court, and lived there some years; at that distance, and with that awe, as was agreeable to the modesty of the age, when men were seen some time before they were known; and well known before they were preferred, or durst pretend to be preferred.

He spent the best part of his fortune (a fair one, that he inherited from his father) in his attendance at court, and involved his friends in securities with him, who were willing to run his hopeful fortune, before he received the least fruit from it, but the countenance of great men and those in authority, the most natural and most certain stairs to ascend by.

He was then sent ambassador to the archdukes, Albert and Isabella, into Flanders; and to the diet in Germany, to treat about the restitution of the palatinate; in which negotiation he behaved himself with great prudence, and with the concurrent testimony of a wise man, from all those with whom he treated, princes and ambassadors, and upon his return was made a privy counsellor, and chancellor of the exchequer, in the place of the lord Brooke, who was either persuaded, or put out of the place; which, being an office of honour and trust, is likewise an excellent stage for men of parts to tread, and expose themselves upon; and where they have occasion of all natures to lay out and spread all their faculties and qualifications most for their advantage. He behaved himself very well in this function, and appeared equal to it; and carried himself so luckily in parliament, that he did his master much service, and preserved himself in the good opinion and acception of the house; which is a blessing not indulged to many by those high powers. He did swim in those troubled and boisterous waters, in which the duke of Buckingham rode as admiral, with a good grace, when very many who were about him were drowned, or forced on shore with shrewd hurts and bruises: which shewed he knew well how and when to use his limbs and strength to the best advantage; sometimes only to avoid sinking, and sometimes to advance and get ground: and by this dexterity he kept his credit with those who could do him good,

and lost it not with others, who desired the destruction of those upon whom he most depended.

He was made lord treasurer in the manner and at the time mentioned before, upon the removal of the earl of Marlborough, and few months before the death of the duke. The former circumstance, which is often attended by compassion towards the degraded, and prejudice towards the promoted brought him no disadvantage: for besides the delight that season had in changes, there was little reverence towards the person removed; and the extreme visible poverty of the exchequer sheltered that province from the envy it had frequently created, and opened a door for much applause to be the portion of a wise and provident minister. For the other, of the duke's death, though some, who knew the duke's passions and prejudice, (which often produced rather sudden indisposition, than obstinate resolution,) believed he would have been shortly cashiered, as so many had lately been; and so that the death of his founder was a greater confirmation of him in the office, than the delivery of the white staff had been: many other wise men, who knew the treasurer's talent in removing prejudice, and reconciling himself to wavering and doubtful affections, believed, that the loss of the duke was very unseasonable; and that the awe or apprehension of his power and displeasure was a very necessary allay for the impetuosity of the new officer's nature, which needed some restraint and check, for some time, to his immoderate pretences and appetite of power.

He did indeed appear on the sudden wonderfully elated, and so far threw off his old affectation to please some very much, and to displease none, in which art he had excelled, that in few months after the duke's death he found himself to succeed him in the public displeasure, and in the malice of his enemies, without succeeding him in his credit at court, or in the affection of any considerable dependants. And yet, though he was not superior to all other men in the affection, or rather resignation, of the king, so that he might dispense favours and disfavours according to his own election, he had a full share in his master's esteem, who looked upon him as a wise and able servant, and worthy of the trust he reposed in him, and received no other advice in the large business of his revenue; nor was any man so much his superior, as to be able to lessen him in the king's affection by his power. So that he was in a post, in which he might have found much ease and delight, if he could have contained himself within the verge of his own province, which was large enough, and of such an extent, that he might, at the same time, have drawn a great dependence upon him of very considerable men, and appeared a very useful and profitable minister to the king; whose revenue had been very loosely managed during the late years, and might, by industry and order, have been easily improved: and no man better understood what method was necessary towards that good husbandry, than he.

But I know not by what frowardness in his stars, he took more pains in examining and inquiring into other men's offices, than in the discharge of his own; and not so much joy in what he had, as trouble and agony for what he had not. The truth is, he had so vehement a desire to be the sole favourite, that he had no relish of the power he had: and in that contention he had many







Engraved by H. Robinson

**RICHARD WESTON, EARL OF PORTLAND**

**OB 1654**

**FROM THE ORIGINAL OF VAN DYKE IN THE COLLECTION OF**

**THE RIGHT HON<sup>BLE</sup> THE EARL OF VERULAM**



rivals, who had credit enough to do him ill offices, though not enough to satisfy their own ambition; the king himself being resolved to hold the reins in his own hands, and to put no further trust in others, than was necessary for the capacity they served in. Which resolution in his majesty was no sooner believed, and the treasurer's pretence taken notice [of,] than he found the number of his enemies exceedingly increased, and others to be less eager in the pursuit of his friendship; and every day discovered some infirmities in him, which being before known to few, and not taken notice of, did now expose him both to public reproach, and to private animosities; and even his vices admitted those contradictions in them, that he could hardly enjoy the pleasant fruit of any of them. That which first exposed him to the public jealousy, which is always attended with public reproach, was the concurrent suspicion of his religion. His wife and all his daughters were declared of the Romish religion: and though himself, and his sons, sometimes went to church, he was never thought to have zeal for it; and his domestic conversation and dependants, with whom only he used entire freedom, were all known catholics, and were believed to be agents for the rest. And yet, with all this disadvantage to himself, he never had reputation and credit with that party, who were the only people of the kingdom who did not believe him to be of their profession. For the penal laws (those only excepted which were sanguinary, and even those sometimes let loose) were never more rigidly executed, nor had the crown ever so great a revenue from them, as in his time; nor did they ever pay so dear for the favours and indulgences of his office towards them.

No man had greater ambition to make his family great, or stronger designs to leave a great fortune to it. Yet his expenses were so prodigiously great, especially in his house, that all the ways he used for supply, which were all that occurred, could not serve his turn; insomuch that he contracted so great debts, (the anxiety whereof, he pretended, broke his mind, and restrained that intemperance and industry, which was necessary for the due execution of his office,) that the king was pleased twice to pay his debts; at least, towards it, to disburse forty thousand pounds in ready money out of his exchequer. Besides, his majesty gave him a whole forest (Chute forest in Hampshire) and much other land belonging to the crown; which was the more taken notice of, and murmured against, because, being the chief minister of the revenue, he was particularly obliged, as much as in him lay, to prevent, and even oppose, such disinherison; and because, under that obligation, he had, avowedly and sourly, crossed the pretences of other men, and restrained the king's bounty from being exercised almost to any. And he had that advantage, (if he had made the right use of it,) that his credit was ample enough (seconded by the king's own experience, and observation, and inclination) to retrench very much of the late unlimited expenses, and especially those of bounties; which from the death of the duke ran in narrow channels, which never so much overflowed as towards himself, who stopped the current to other men.

He was of an imperious nature, and nothing wary in disobliging and provoking other men, and had too much courage in offending and incensing them: but after having offended and incensed

them, he was of so unhappy a feminine temper, that he was always in a terrible fright and apprehension of them.

He had not that application, and submission, and reverence for the queen, as might have been expected from his wisdom and breeding, and often crossed her pretences and desires, with more rudeness than was natural to him. Yet he was imperitently solicitous to know what her majesty said of him in private, and what resentments she had towards him. And when by some confidants, who had their ends upon him from those offices, he was informed of some bitter expressions fallen from her majesty, he was so exceedingly afflicted and tormented with the sense of it, that sometimes by passionate complaints and representations to the king; sometimes by more dutiful addresses and expostulations with the queen, in bewailing his misfortunes; he frequently exposed himself, and left his condition worse than it was before: and the eclaireissement commonly ended in the discovery of the persons from whom he had received his most secret intelligence.

He quickly lost the character of a bold, stout, and magnanimous man, which he had been long reputed to be in worse times; and, in his most prosperous season, fell under the reproach of being a man of big looks, and of a mean and abject spirit.

There was a very ridiculous story at that time in the mouths of many, which, being a known truth, may not be unfitly mentioned in this place, as a kind of illustration of the humour and nature of the man. Sir Julius Cæsar was then master of the rolls, and had, inherent in his office, the indubitable right and disposition of the six clerks' places; all which he had, for many years, upon any vacancy, bestowed to such persons as he thought fit. One of those places was become void, and designed by the old man to his son Robert Cæsar, a lawyer of a good name, and exceedingly beloved. The treasurer (as he was vigilant in such cases) had notice of the clerk's expiration so soon, that he procured the king to send a message to the master of the rolls, expressly forbidding him to dispose of that six-clerk's place, till his majesty's pleasure should be further made known to him. It was the first command of that kind that had been heard of, and was felt by the old man very sensibly. He was indeed very old, and had outlived most of his friends, so that his age was an objection against him; many persons of quality being dead, who had, for recompense of services, procured the reversion of his office. The treasurer found it no hard matter so far to terrify him, that (for the king's service, as was pretended) he admitted for a six-clerk a person recommended by him, (Mr. Fern, a dependant upon him,) who paid six thousand pound ready money; which, poor man! he lived to repent in a gaol. This work being done at the charge of the poor old man, who had been a privy-counsellor from the entrance of king James, had been chancellor of the exchequer, and served in other offices; the depriving him of his right made a great noise: and the condition of his son, (his father being not like to live to have the disposal of another office in his power,) who, as was said before, was generally beloved and esteemed, was argument of great compassion, and was lively and successfully represented to the king himself; who was graciously pleased to promise, that, "if the old man chanced to die

"before any other of the six-clerks, that office, when it should fall, should be conferred on his son, whosoever should succeed him as master of the rolls;" which might well be provided for; and the lord treasurer obliged himself (to expiate for the injury) to procure some declaration to that purpose, under his majesty's sign manual; which, however easy to be done, he long forgot, or neglected.

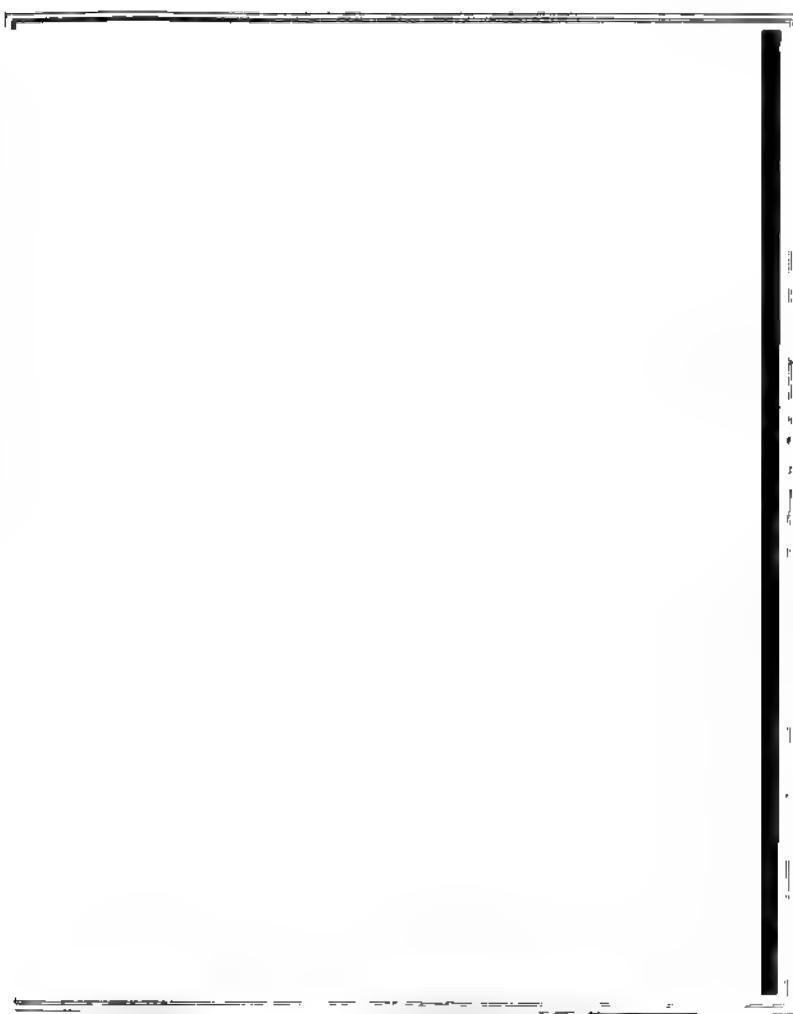
One day the earl of Tullibardine, who was nearly allied to Mr. Cæsar, and much his friend, being with the treasurer, passionately asked him, "Whether he had done that business?" To whom he answered with a seeming trouble, "That he had forgotten it, for which he was heartily sorry; and if he would give him a little in writing, for a memorial, he would put it amongst those which he would despatch with the king that afternoon." The earl presently writ in a little paper, *Remember Cæsar*; and gave it to him; and he put it into that little pocket, where, he said, he kept all his memorials which were first to be transacted.

Many days passed, and Cæsar never thought of. At length, when he changed his clothes, and he who waited on him in his chamber, according to custom, brought him all the notes and papers which were left in those he had left off, which he then commonly perused; when he found this little billet, in which was only written, *Remember Cæsar*, and which he had never read before, he was exceedingly confounded, and knew not what to make or think of it. He sent for his bosom friends, with whom he most confidently consulted, and shewed the paper to them, the contents whereof he could not conceive; but that it might probably have been put into his hand (because it was found in that enclosure, wherein he put all things of moment which were given him) when he was in motion, and in the privy lodgings in the court. After a serious and melancholic deliberation, it was agreed, that it was the advertisement from some friend, who durst not own the discovery: that it could signify nothing but that there was a conspiracy against his life, by his many and mighty enemies: and they all knew Cæsar's fate, by contemning or neglecting such animadversions. And therefore they concluded, that he should pretend to be indisposed, that he might not stir abroad all that day, nor that any might be admitted to him, but persons of undoubted affections; that at night the gate should be shut early, and the porter enjoined to open it to nobody, nor to go himself to bed till the morning; and that some servants should watch with him, lest violence might be used at the gate; and that they themselves, and some other gentlemen, would sit up all the night, and attend the event. Such houses are always in the morning haunted by early suitors; but it was very late before any could now get admittance into the house, the porter having quitted some of that arrear of sleep, which he owed to himself for his night's watching; which he excused to his acquaintance, by whispering to them, "That his lord should have been killed that night, which had kept all the house from going to bed." And shortly after, the earl of Tullibardine asking him, whether he had remembered Cæsar; the treasurer quickly recollected the ground of his perturbation, and could not forbear imparting it to his friends, who likewise affected the communication, and so the whole jest came to be discovered.

To conclude, all the honours the king conferred upon him (as he made him a baron, then an earl, and knight of the garter; and above this, gave a young beautiful lady nearly allied to him, and to the crown of Scotland, in marriage to his eldest son) could not make him think himself great enough. Nor could all the king's bounties, nor his own large accessions, raise a fortune to his heir; but after six or eight years spent in outward opulency, and inward murmur and trouble that it was no greater; after vast sums of money and great wealth gotten, and rather consumed than enjoyed, without any sense or delight in so great prosperity, with the agony that it was no greater; he died unlamented by any; bitterly mentioned by most who never pretended to love him, and severely censured and complained of by those who expected most from him, and deserved best of him; and left a numerous family, which was in a short time worn out, and yet outlived the fortune he left behind him.

The next greatest counsellor of state was the lord privy-seal, who was likewise of a noble extraction, and of a family at that time very fortunate. His grandfather had been lord chief justice, and left by king Harry the Eighth one of the executors of his last will. He was the younger son of his father, and brought up in the study of the law in the Middle Temple; and had passed through, and, as it were, made a progress through all the eminent degrees of the law, and in the state. At the death of queen Elizabeth, or thereabouts, he was recorder of London; then the king's sergeant at law; afterwards chief justice of the king's bench. Before the death of king James, by the favour of the duke of Buckingham, he was raised to the place of lord high treasurer of England; and within less than a year afterwards, by the withdrawing of that favour, he was reduced to the empty title of president of the council; and, to allay the sense of the dishonour, created viscount Mandevile. He bore the diminution very well, as he was a wise man, and of an excellent temper, and quickly recovered so much grace, that he was made lord privy-seal, and earl of Manchester, and enjoyed that office to his death; whilst he saw many removes and degradations in all the other offices of which he had been possessed.

He was a man of great industry and sagacity in business, which he delighted in exceedingly; and preserved so great a vigour of mind, even to his death, (when he was very near eighty years of age,) that some, who had known him in his younger years, did believe him to have much quicker parts in his age, than before. His honours had grown faster upon him than his fortunes; which made him too solicitous to advance the latter, by all the ways which offered themselves; whereby he exposed himself to some inconvenience, and many reproaches, and became less capable of serving the public by his counsels and authority; which his known wisdom, long experience, and confessed gravity and ability, would have enabled him to have done; most men considering more the person that speaks, than the things he says. And he was unhappily too much used as a check upon the lord Coventry; and when the other perplexed their counsels and designs with inconvenient objections in law, his authority, who had trod the same paths, was still called upon; and he did too frequently gratify their unjustifiable designs and pretences: a



THOMAS HOWARD, EARL OF ARUNDEL AND SURREY.

OR, HOWE.

FROM THE ORIGINAL OF RUENS IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL OF WARWICK



guilt and mischief, all men who are obnoxious, or who are thought to be so, are liable to, and can hardly preserve themselves from. But his virtues so far weighed down his infirmities, that he maintained a good general reputation and credit with the whole nation and people; he being always looked upon as full of integrity and zeal to the protestant religion, as it was established by law, and of unquestionable loyalty, duty, and fidelity to the king; which two qualifications will ever gather popular breath enough to fill the sails, if the vessel be competently provided with ballast. He died in a lucky time, in the beginning of the rebellion, when neither religion, or loyalty, or law, or wisdom, could have provided for any man's security.

The earl of Arundel was next to the officers of state, who, in his own right and quality, preceded the rest of the council. He was a man supercilious and proud, who lived always within himself, and to himself, conversing little with any who were in common conversation; so that he seemed to live as it were in another nation, his house being a place to which all men resorted, who resorted to no other place; strangers, or such who affected to look like strangers, and dressed themselves accordingly. He resorted sometimes to the court, because there only was a greater man than himself; and went thither the seldomer, because there was a greater man than himself. He lived towards all favourites, and great officers, without any kind of condescension; and rather suffered himself to be ill treated by their power and authority (for he was always in disgrace, and once or twice prisoner in the Tower) than to descend in making any application to them.

And upon these occasions he spent a great interval of his time in several journeys into foreign parts, and, with his wife and family, had lived some years in Italy, the humour and manners of which nation he seemed most to like and approve, and affected to imitate. He had a good fortune by descent, and a much greater from his wife, who was the sole daughter upon the matter (for neither of the two sisters left any issue) of the great house of Shrewsbury: but his expenses were without any measure, and always exceeded very much his revenue. He was willing to be thought a scholar, and to understand the most mysterious parts of antiquity, because he made a wonderful and costly purchase of excellent statues, whilst he was in Italy and in Rome, (some whereof he could never obtain permission to remove from Rome, though he had paid for them,) and had a rare collection of the most curious medals; whereas in truth he was only able to buy them, never to understand them; and as to all parts of learning he was almost illiterate, and thought no other part of history considerable, but what related to his own family; in which, no doubt, there had been some very memorable persons. It cannot be denied that he had in his person, in his aspect, and countenance, the appearance of a great man, which he preserved in his gait and motion. He wore and affected a habit very different from that of the time, such as men had only beheld in the pictures of the most considerable men; all which drew the eyes of most, and the reverence of many, towards him, as the image and representative of the primitive nobility, and native gravity of the nobles, when they had been most venerable: but this was only his outside, his nature and true humour being so much

disposed to vulgar delights, which indeed were very despicable and childish. He was never suspected to love anybody, nor to have the least propensity to justice, charity, or compassion, so that though he got all he could, and by all the ways he could, and spent much more than he got or had; he was never known to give any thing, nor in all his employments (for he had employments of great profit as well as honour, being sent ambassador extraordinary into Germany, for the treaty of that general peace, for which he had great appointments, and in which he did nothing of the least importance, and which is more wonderful, he was afterwards made general of the army raised for Scotland, and received full pay as such; and in his own office of earl marshal, more money was drawn from the people by his avidity and pretence of jurisdiction, than had ever been extorted by all the officers preceding,) yet, I say, in all his offices and employments, never man used or employed by him, ever got any fortune under him, nor did ever any man acknowledge any obligation to him. He was rather thought to be without religion, than to incline to this or that party of any; he would have been a proper instrument for any tyranny, if he could have a man tyrant enough to have been advised by him, and had no other affection for the nation or the kingdom, than as he had a great share in it, in which, like the great leviathan, he might sport himself; from which he withdrew himself, as soon as he discerned the repose thereof was like to be disturbed, and died in Italy, under the same doubtful character of religion in which he lived.

William earl of Pembroke was next, a man of another mould and making, and of another fame and reputation with all men, being the most universally loved and esteemed of any man of that age; and, having a great office in the court, he made the court itself better esteemed, and more revered in the country. And as he had a great number of friends of the best men, so no man had ever the wickedness to avow himself to be his enemy. He was a man very well bred, and of excellent parts, and a graceful speaker upon any subject, having a good proportion of learning, and a ready wit to apply it, and enlarge upon it; of a pleasant and facetious humour, and a disposition affable, generous, and magnificent. He was master of a great fortune from his ancestors, and had a great addition by his wife, another daughter and heir of the earl of Shrewsbury, which he enjoyed during his life, she outliving him: but all served not his expense, which was only limited by his great mind, and occasions to use it nobly.

He lived many years about the court, before in it; and never by it; being rather regarded and esteemed by king James, than loved and favoured. After the foul fall of the earl of Somerset, he was made lord chamberlain of the king's house, more for the court's sake than his own; and the court appeared with the more lustre, because he had the government of that province. As he spent and lived upon his own fortune, so he stood upon his own feet, without any other support than of his proper virtue and merit; and lived towards the favourites with that decency, as would not suffer them to censure or reproach his master's judgment and election, but as with men of his own rank. He was exceedingly beloved in the court, because he never desired to get that for himself, which



others laboured for, but was still ready to promote the pretences of worthy men. And he was equally celebrated in the country, for having received no obligations from the court which might corrupt or sway his affections and judgment; so that all who were displeased and unsatisfied in the court, or with the court, were always inclined to put themselves under his banner, if he would have admitted them; and yet he did not so reject them, as to make them choose another shelter, but so far to depend on him, that he could restrain them from breaking out beyond private resentments and murmurs.

He was a great lover of his country, and of the religion and justice, which he believed could only support it; and his friendships were only with men of those principles. And as his conversation was most with men of the most pregnant parts and understanding, so towards any, who needed support or encouragement, though unknown, if fairly recommended to him, he was very liberal. And sure never man was planted in a court, that was fitter for that soil, or brought better qualities with him to purify that air.

Yet his memory must not be so flattered, that his virtues and good inclinations may be believed without some alloy of vice, and without being clouded with great infirmities, which he had in too exorbitant a proportion. He indulged to himself the pleasures of all kinds, almost in all excesses. To women, whether out of his natural constitution, or for want of his domestic content and delight, (in which he was most unhappy, for he paid much too dear for his wife's fortune, by taking her person into the bargain,) he was immoderately given up. But therein he likewise retained such a power and jurisdiction over his very appetite, that he was not so much transported with beauty and outward allurements, as with those advantages of the mind, as manifested an extraordinary wit, and spirit, and knowledge, and administered great pleasure in the conversation. To these he sacrificed himself, his precious time, and much of his fortune. And some, who were nearest his trust and friendship, were not without apprehension, that his natural vivacity and vigour of mind began to lessen and decline by those excessive indulgences.

About the time of the death of king James, or presently after, he was made lord steward of his majesty's house, that the staff of chamberlain might be put into the hands of his brother, the earl of Montgomery, upon a new contract of friendship with the duke of Buckingham; after whose death, he had likewise such offices of his, as he most affected, of honour and command; none of profit, which he cared not for; and within two years after, he died himself of an apoplexy, after a full and cheerful supper.

A short story may not be unfitly inserted, it being very frequently mentioned by the person whose character is here undertaken to be set down, and who, at that time, being on his way to London, met at Maidenhead some persons of quality, of relation or dependance upon the earl of Pembroke, sir Charles Morgan, commonly called General Morgan, who had commanded an army in Germany, and defended Stoad; Dr. Feild, then bishop of Saint David's; and Dr. Chafin, the earl's then chaplain in his house, and much in his favour. At supper one of them drank a health to the lord steward: upon which another of

them said, "that he believed his lord was at that "time very merry, for he had now outlived the "day, which his tutor Sandford had prognosticated upon his nativity he would not outlive; "which he had done now, for that was his birth-day, which had completed his age to fifty years." The next morning, by the time they came to Colebrook, they met with the news of his death.

He died exceedingly lamented by all qualities of men, and left many of his servants and dependants owners of good estates, raised out of his employments and bounty. Nor had his heir cause to complain: for though his expenses had been very magnificent, (and it may be the less considered, and his providence the less, because he had no child to inherit,) insomuch as he left a great debt charged upon the estate; yet considering the wealth he left in jewels, plate, and furniture, and the estate his brother enjoyed in the right of his wife (who was not fit to manage it herself) during her long life, he may be justly said to have inherited as good an estate from him, as he had from his father, which was one of the best in England.

The earl of Montgomery, who was then lord chamberlain of the household, and now earl of Pembroke, and the earl of Dorset, were likewise of the privy-council; men of very different talents and qualifications. The former being a young man, scarce of age at the entrance of king James, had the good fortune, by the comeliness of his person, his skill, and indefatigable industry in hunting, to be the first who drew the king's eyes towards him with affection; which was quickly so far improved, that he had the reputation of a favourite. And before the end of the first or second year, he was made gentleman of the king's bedchamber, and earl of Montgomery; which did the king no harm: for besides that he received the king's bounty with more moderation than other men, who succeeded him, he was generally known, and as generally esteemed; being the son and younger brother to the earl of Pembroke, who liberally supplied his expense, beyond what his annuity from his father would bear.

He pretended to no other qualifications, than to understand horses and dogs very well, which his master loved him the better for, (being, at his first coming into England, very jealous of those who had the reputation of great parts,) and to be believed honest and generous, which made him many friends, and left him no enemy. He had not sat many years in that sunshine, when a new comet appeared in court, Robert Carr, a Scotsman, quickly after declared favourite: upon whom the king no sooner fixed his eyes, but the earl, without the least murmur or indisposition, left all doors open for his entrance; (a rare temper! and could proceed from nothing, but his great perfection in loving field sports;) which the king received as so great an obligation, that he always after loved him in the second place, and commended him to his son at his death, as a man to be relied on in point of honesty and fidelity; though it appeared afterwards, that he was not strongly built, nor had sufficient ballast to endure a storm; of which more will be said hereafter.

The other, the earl of Dorset, was, to all intents, principles, and purposes, another man; his person beautiful, and graceful, and vigorous; his wit pleasant, sparkling, and sublime; and his other parts of learning, and language, of that lustre,





Engraved by E.L. Spall.

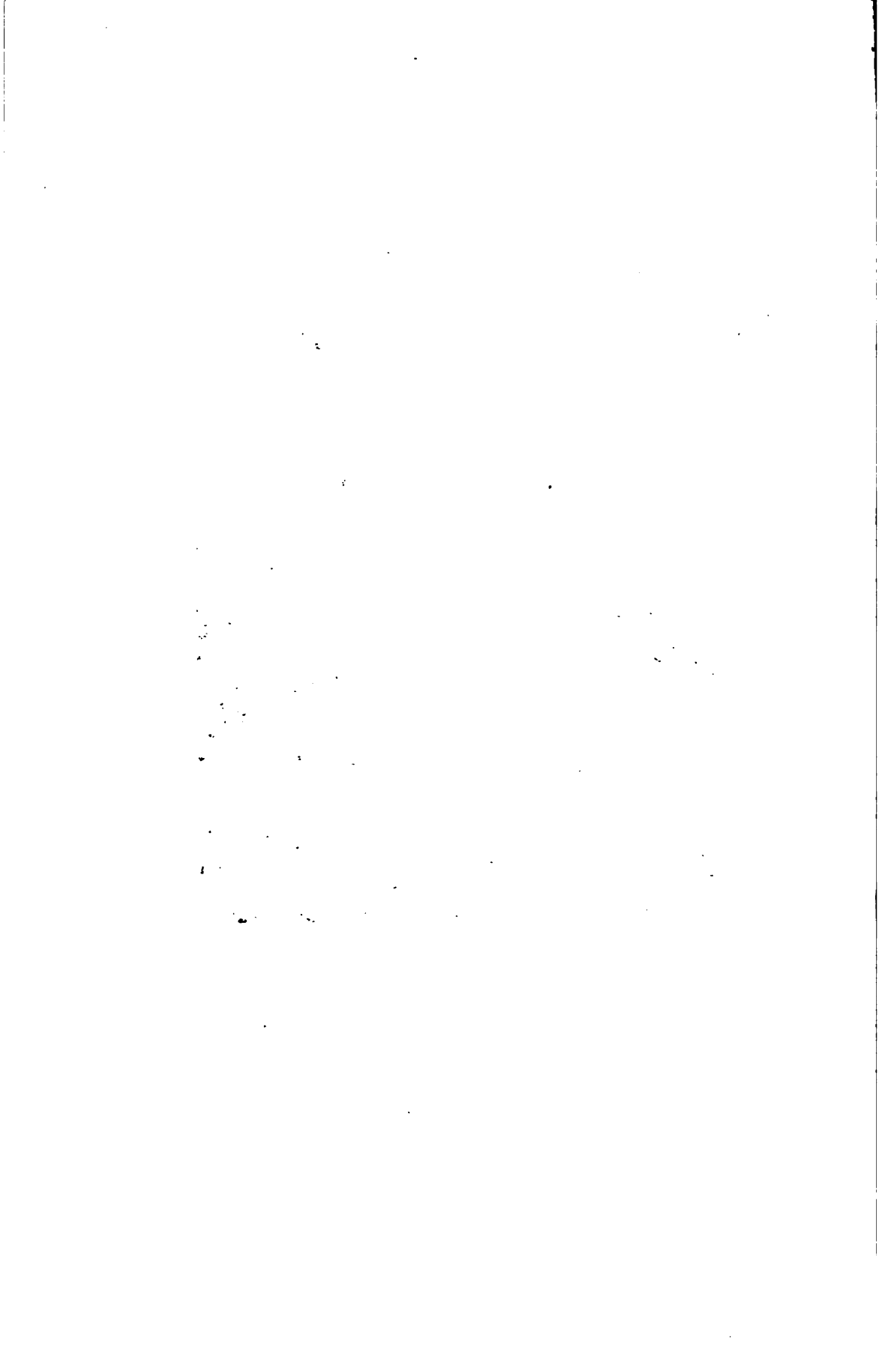
**WILLIAM HERBERT, EARL OF PEMBROKE.**

**OB. 1630.**

**FROM THE ORIGINAL OF VANDYCKE IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> THE EARL OF PEMBROKE**







Engraved by W. Marshall

**PHILIP HERBERT, EARL OF PEMBROKE & MONTGOMERY.**

OB. 1650

FROM THE ORIGINAL OF VAN DYKE IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL OF PEMBROKE





that he could not miscarry in the world. The vices he had were of the age, which he was not stubborn enough to condemn or resist. He was a younger brother, grandchild to the great treasurer Buckhurst, created, at the king's first entrance, earl of Dorset, who outlived his father, and took care and delight in the education of his grandchild, and left him a good support for a younger brother, besides a wife, who was heir to a fair fortune. As his person and parts were such as are before mentioned, so he gave them full scope, without restraint; and indulged to his appetite all the pleasures that season of his life (the fullest of jollity and riot of any that preceded or succeeded) could tempt or suggest to him.

He entered into a fatal quarrel, upon a subject very unwarrantable, with a young nobleman of Scotland, the lord Bruce; upon which they both transported themselves into Flanders, and attended only by two surgeons placed at a distance, and under an obligation not to stir but upon the fall of one of them, they fought under the walls of Antwerp, where the lord Bruce fell dead upon the place; and sir Edward Sackville (for so he was then called) being likewise hurt, retired into the next monastery, which was at hand. Nor did this miserable accident, which he did always exceedingly lament, make that thorough impression upon him, but that he indulged still too much to those importunate and insatiate appetites, even of that individual person, that had so lately embarked him in that desperate enterprise; being too much tinder not to be inflamed with those sparks.

His elder brother did not enjoy his grandfather's title many years, before it descended, for want of heirs male, to the younger brother. But in these few years, by an excess of expense in all the ways to which money can be applied, he so entirely consumed almost the whole great fortune that descended to him, that, when he was forced to leave the title to his younger brother, he left upon the matter nothing to him to support it; which exposed him to many difficulties and inconveniences. Yet his known great parts, and the very good general reputation he had, notwithstanding his defects, acquired, (for as he was eminent in the house of commons, whilst he sat there; so he shined in the house of peers, when he came to move in that sphere,) inclined king James to call him to his privy-council before his death. And if he had not too much cherished his natural constitution and propensity, and been too much grieved and wrung by an uneasy and strait fortune, he would have been an excellent man of business; for he had a very sharp, discerning spirit, and was a man of an obliging nature, much honour, and great generosity, and of most entire fidelity to the crown.

There were two other persons of much authority in the council, because of great name in the court; as they deserved to be, being, without doubt, two as accomplished courtiers as were found in the palaces of all the princes in Europe; and the greatest (if not too great) improvers of that breeding, and those qualifications, with which courts use to be adorned; the earl of Carlisle, and earl of Holland: both, (though men of pleasure,) by their long experience in court, well acquainted with the affairs of the kingdom, and better

versed in those abroad, than any other who sat then at that board.

The former, a younger brother of a noble family in Scotland, came into the kingdom with king James, as a gentleman; under no other character, than a person well qualified by his breeding in France, and by study in human learning, in which he bore a good part in the entertainment of the king, who much delighted in that exercise; and by these means, and notable gracefulness in his behaviour, and affability, in which he excelled, he had wrought himself into a particular interest with his master, and into greater affection and esteem with the whole English nation, than any other of that country; by choosing their friendships and conversation, and really preferring it to any of his own: insomuch as upon the king's making him gentleman of his bedchamber and viscount Doncaster, and by his royal mediation (in which office he was a most prevalent prince) he obtained the sole daughter and heir of the lord Denny to be given him in marriage; by which he had a fair fortune in land provided for any issue he should raise, and which his son by that lady lived long to enjoy.

He ascended afterwards, and with the expedition he desired, to the other conveniences of the court. He was groom of the stole, and an earl, and knight of the garter; and married a beautiful young lady, daughter to the earl of Northumberland, without any other approbation of her father, or concernment in it, than suffering him and her to come into his presence after they were married. He lived rather in a fair intelligence than any friendship with the favourites; having credit enough with his master to provide for his own interest, and he troubled not himself for that of other men; and had no other consideration of money, than for the support of his lustre; and whilst he could do that, he cared not for money, having no bowels in the point of running in debt, or borrowing all he could.

He was surely a man of the greatest expense in his own person, of any in the age he lived; and introduced more of that expense in the excess of clothes and diet, than any other man; and was indeed the original of all those inventions, from which others did but transcribe copies. He had a great universal understanding, and could have taken as much delight in any other way, if he had thought any other as pleasant, and worth his care. But he found business was attended with more rivals and vexation; and, he thought, with much less pleasure, and not more innocence.

He left behind him the reputation of a very fine gentleman, and a most accomplished courtier; and after having spent, in a very jovial life, above four hundred thousand pounds, which, upon a strict computation, he received from the crown, he left not a house, nor acre of land, to be remembered by. And when he had in his prospect (for he was very sharp-sighted, and saw as far before him as most men) the gathering together of that cloud in Scotland, which shortly after covered both kingdoms, he died with as much tranquillity of mind to all appearance, as used to attend a man of more severe exercise of virtue, and as little apprehension of death, which he expected many days.

The earl of Holland was a younger son of a noble house, and a very fruitful bed, which divided a numerous issue between two great fathers; the eldest, many sons and daughters to the lord Rich;

the younger, of both sexes, to Mountjoy earl of Devonshire, who had been more than once married to the mother. The reputation of his family gave him no great advantage in the world, though his eldest brother was earl of Warwick, and owner of a great fortune; and his younger earl of Newport, of a very plentiful revenue likewise. He, after some time spent in France, betook himself to the war in Holland, which he intended to have made his profession; where, after he had made two or three campaigns, according to the custom of the English volunteers, he came in the leisure of the winter to visit his friends in England, and the court, that shined then in the plenty and bounty of king James; and about the time of the infancy of the duke of Buckingham's favour, to whom he grew in a short time very acceptable. But his friendship was more entire to the earl of Carlisle, who was more of his nature and humour, and had a generosity more applicable at that time to his fortune and his ends. And it was thought by many who stood within view, that for some years he supported himself upon the familiarity and friendship of the other; which continued mutually between them very many years, with little interruption, to their death.

He was a very handsome man, of a lovely and winning presence, and gentle conversation; by which he got so easy an admission into the court, and grace of king James, that he gave over the thought of further intending the life of a soldier. He took all the ways he could to endear himself to the duke, and to his confidence, and wisely declined the receiving any grace or favour, but as his donation; above all, avoided the suspicion that the king had any kindness for him, upon any account but of the duke, whose creature he desired to be esteemed, though the earl of Carlisle's friend. And he prospered so well in that pretence, that the king scarce made more haste to advance the duke, than the duke did to promote the other.

He first preferred him to a wife, the daughter and heir of Cope, by whom he had a good fortune; and, amongst other things, the manor and seat of Kensington, of which he was shortly after made baron. And he had quickly so entire a confidence in him, that he prevailed with the king to put him about his son the prince of Wales, and to be a gentleman of his bedchamber, before the duke himself had reason to promise himself any proportion of his highness's grace and protection. He was then made earl of Holland, captain of the guard, knight of the order, and of the privy-council; sent the first ambassador into France to treat the marriage with the queen, or rather privately to treat about the marriage before he was ambassador. And when the duke went to the Isle of Rhé, he trusted the earl of Holland with the command of that army with which he was to be recruited and assisted.

And in this confidence, and in this posture, he was left by the duke when he died; and having the advantage of the queen's good opinion and favour, (which the duke neither had, nor cared for,) he made all possible approaches towards the obtaining his trust, and succeeding him in his power; or rather that the queen might have solely that power, and he only be subservient to her; and upon this account he made a continual war upon the earl of Portland the treasurer, and all others who were not gracious to the queen, or desired not

the increase of her authority. And in this state, and under this protection, he received every day new obligations from the king, and great bounties, and continued to flourish above any man in the court, whilst the weather was fair: but the storm did no sooner arise, but he changed so much, and declined so fast from the honour he was thought to be master of, that he fell into that condition, which there will be hereafter too much cause to mention, and to enlarge upon.

The two secretaries of state (which were not in those days officers of that magnitude they have been since, being only to make despatches upon the conclusion of councils, not to govern, or preside in those councils) were sir John Coke, who, upon the death of sir Albert Moreton, was, from being master of requests, preferred to be secretary of state; and sir Dudley Carleton, who, from his employment in Holland, was put into the place of the lord Conway, who, for age and incapacity, was at last removed from the secretary's office, which he had exercised for many years with very notable insufficiency; so that king James was wont pleasantly to say, "That Stenny" (the duke of Buckingham) "had given him two very proper servants; a secretary, who could neither write or read; and a groom of his bedchamber, who could not truss his points;" Mr. Clark having but one hand.

Of these two secretaries, the former was a man of a very narrow education, and a narrower nature; having continued long in the university of Cambridge, where he had gotten Latin learning enough; and afterwards in the country in the condition of a private gentleman, till after he was fifty years of age; when, upon some reputation he had for industry and diligence, he was called to some painful employment in the office of the navy, which he discharged well; and afterwards to be master of requests, and then to be secretary of state, which he enjoyed to a great age: and was a man rather unadorned with parts of vigour and quickness, and unendowed with any notable virtues, than notorious for any weakness or defect of understanding, than transported with any vicious inclinations, appetite to money only excepted. His cardinal perfection was industry, and his most eminent infirmity covetousness. His long experience had informed him well of the state and affairs of England; but of foreign transactions, or the common interest of Christian princes, he was entirely ignorant and undiscerning.

Sir Dudley Carleton was of a quite contrary nature, constitution, and education, and understood all that related to foreign employment, and the condition of other princes and nations, very well: but was utterly unacquainted with the government, laws, and customs of his own country, and the nature of the people. He was a younger son in a good gentleman's family, and bred in Christ Church, in the university of Oxford, where he was a student of the foundation, and a young man of parts and towards expectation. He went from thence early into France, and was soon after secretary to sir Harry Nevil, the ambassador there. He had been sent ambassador to Venice, where he resided many years with good reputation; and was no sooner returned from thence into England, than he went ambassador into Holland, to the States General, and resided there when that synod was assembled at Dort, which hath given the world





Engraved by P. Colnaghi

**EDWARD SACKVILLE, FOURTH EARL OF DORSET.**

OB. 1652.

FROM THE ORIGINAL OF VAN DYKE IN THE COLLECTION OF

HIS GRACE THE LATE DUKE OF DORSET



so much occasion since for uncharitable disputations, which they were called together to prevent. Here the ambassador was not thought so equal a spectator, or assessor, as he ought to have been; but by the infusions he made into king James, and by his own activity, he did all he could to discountenance that party that was most learned, and to raise the credit and authority of the other; which has since proved as inconvenient and troublesome to their own country, as to their neighbours.

He was once more ambassador extraordinary in Holland after the death of king James, and was the last who was admitted to be present, and to vote in the general assembly of the States, under that character; of which great privilege the crown had been possessed from a great part of the reign of queen Elizabeth, and through the time of king James to that moment; which administered fresh matter of murmur for the giving up the towns of the Brill, and Flushing, which had been done some years before by king James; without which men thought those States would not have had the courage so soon to have degraded the crown of England from a place in their councils, which had prospered so eminently under the shadow of that power and support. As soon as he returned from Holland, he was called to the privy-council; and the making him secretary of state, and a peer of the realm, when his estate was scarce visible, was the last piece of workmanship the duke of Buckingham lived to finish, who seldom satisfied himself with conferring a single obligation.

The duke had observed, and discovered, that the channel, in which the church promotions had formerly run, had been liable to some corruptions, at least to many reproaches; and therefore had committed the sole representation of those affairs, and the vacancies which should happen, to Dr. Laud, then bishop of Bath and Wells, and sworn of the privy-council. And the king, after his death, continued that trust in the same hands, infinitely to the benefit and honour of the church, though, it may be, no less to the prejudice of the poor bishop; who, too secure in a good conscience, and most sincere worthy intentions, (with which no man was ever more plentifully replenished,) thought he could manage and discharge the place and office of the greatest minister in the court (for he was quickly made archbishop of Canterbury) without the least condescension to the arts and stratagems of the court, and without any other friendship, or support, than what the splendour of a pious life, and his unpolished integrity, would reconcile to him; which was an unskilful measure in a licentious age, and may deceive a good man in the best that shall succeed; which exposed him to such a torrent of adversity and misery, as we shall have too natural an occasion to lament in the following discourse, in which it will be more seasonable to enlarge upon his singular abilities, and immense virtue.

There were more (too many more) honourable persons in that time of the privy-council, whose faculties were not notorious enough to give them any great part in the affairs, nor had their advice much influence upon them. Other very notable men were shortly after added to the council, who will anon be remembered in their proper places and seasons. What hath been said before contains information enough of the persons in employment,

and the state of the court and kingdom, when the duke of Buckingham was taken from it; by which, and the lively reflections upon the qualities and qualifications of the several persons in authority in court and council, no man could expect that the vigorous designs and enterprises, undertaken by the duke, would be pursued with equal resolution and courage; but that much the greater part of them would be wholly intent upon their own accommodations in their fortunes, (in which they abounded not,) and in their ease and pleasure, which they most passionately affected; having, as hath been said, no other consideration of the public, than that no disturbance therein might interrupt their quiet in their own days: and that the rest, who had larger hearts and more public spirits, would extend their labour, activity, and advice, only to secure the empire at home by all peaceable arts, and advancement of trade, which might gratify the people, and fill the empty coffers of the impoverished crown. To which end the most proper expedients were best understood by them, not to enlarge it, by continuing and propagating the war; the ways and means whereof they knew not how to comprehend; and had all the desperate imaginations and jealousies of the end and necessary consequences of it. And so they all concurred (though in nothing else) in their unanimous advice to the king "to put the quickest period he could possibly to the expensive war against the two crowns:" and, his majesty following their advice, a peace was made with both, upon better terms and conditions, and in less time, than, from the known impatience of the war, could reasonably have been expected, or hoped for. And after some short unquietness of the people, and unhappy assaults upon the prerogative by the parliament, which produced its dissolution, and thereupon some froward and obstinate disturbances in trade, there quickly followed so excellent a composure throughout the whole kingdom, that the like peace, and plenty, and universal tranquillity for ten years was never enjoyed by any nation; and was the more visible and manifest in England, by the sharp and bloody war suddenly entered into between the two neighbour crowns, and the universal conflagration, that, from the inundation of the Swedes, covered the whole empire of Germany. And so we shall return to the discourse, which this very long digression hath interrupted longer than was intended.

That proclamation, mentioned before, at the break of the last parliament, and which "inhibited all men to speak of another parliament," produced two very ill effects of different natures. It afflicted many good men (who otherwise were enough scandalized at those distempers which had incensed the king) to that degree, that it made them capable of receiving some impressions from those who were diligent in whispering and infusing an opinion into men, "that there was really an intention to alter the form of government, both in church and state; of which, said they, a greater instance cannot be given, than this public declaring that we shall have no more parliaments." Then, this freedom from the danger of such an inquisition did not only encourage ill men to all boldness and license, but wrought so far upon men less inclined to ill, (though not built for examples,) that they kept not those strict guards upon themselves they used to do; especially if they found



themselves above the reach of ordinary justice, and feared not extraordinary, they by degrees thought that no fault which was like to find no punishment. Supplemental acts of state were made to supply defect of laws; and so tonnage, and poundage, and other duties upon merchandises, were collected by order of the board, which had been perversely refused to be settled by act of parliament, and new and greater impositions laid upon trade: obsolete laws were revived, and rigorously executed, wherein the subject might be taught how unthrifty a thing it was, by too strict a detaining of what was his, to put the king as strictly to inquire what was his own.

And by this ill husbandry the king received a vast sum of money from all persons of quality, or indeed of any reasonable condition throughout the kingdom, upon the law of knighthood; which, though it had a foundation in right, yet, in the circumstances of proceeding, was very grievous. And no less unjust projects of all kinds, many ridiculous, many scandalous, all very grievous, were set on foot; the envy and reproach of which came to the king, the profit to other men: insomuch as, of two hundred thousand pound drawn from the subject, by these ways, in a year, scarce fifteen hundred came to the king's use or account. To recompense the damage the crown sustained by the sale of the old lands, and by the grant of new pensions, the old laws of the forest are revived, by which not only great fines are imposed, but great annual rents intended, and like to be settled by way of contract; which burden lighted most upon persons of quality and honour, who thought themselves above ordinary oppressions, and therefore like to remember it with more sharpness. Lastly, for a spring and magazine that should have no bottom, and for an everlasting supply of all occasions, a writ is framed in a form of law, and directed to the sheriff of every county of England, "to provide a ship of war for the king's service, and to send it, amply provided and fitted, by such a day, to such a place;" and with that writ were sent to each sheriff instructions, that, "instead of a ship, he should levy upon his county such a sum of money, and return the same to the treasurer of the navy for his majesty's use, with direction, in what manner he should proceed against such as refused;" and from hence that tax had the denomination of ship-money; a word of a lasting sound in the memory of this kingdom; by which for some years really accrued the yearly sum of two hundred thousand pounds to the king's coffers: and was in truth the only project that was accounted to his own service. And, after the continued receipt of it for four years together, was at last (upon the refusal of a private gentleman to pay thirty shillings as his share) with great solemnity publicly argued before all the judges of England in the exchequer-chamber, and by the major part of them, the king's right to impose asserted, and the tax adjudged lawful; which judgment proved of more advantage and credit to the gentleman condemned (Mr. Hambden) than to the king's service.

For the better support of these extraordinary ways, and to protect the agents and instruments, who must be employed in them, and to discountenance and suppress all bold inquirers and opposers, the council-table and star-chamber enlarge their jurisdictions to a vast extent, "holding" (as Thu-

cydides said of the Athenians) "for honourable that which pleased, and for just that which profited;" and being the same persons in several rooms, grew both courts of law to determine right, and courts of revenue to bring money into the treasury; the council-table by proclamations enjoining this, that was not enjoined by the law, and prohibiting that which was not prohibited; and the star-chamber censuring the breach, and disobedience to those proclamations, by very great fines and imprisonment; so that any disrespect to acts of state, or to the persons of statesmen, was in no time more penal, and those foundations of right, by which men valued their security, to the apprehension and understanding of wise men, never more in danger to be destroyed.

And here I cannot but again take the liberty to say, that the circumstances and proceedings in those new extraordinary cases, stratagems, and impositions, were very unpolitic, and even destructive to the services intended. As if the business of ship-money, being an imposition by the state, under the notion of necessity, upon a prospect of danger, which private persons could not modestly think themselves qualified to discern, had been managed in the same extraordinary way as the royal loan (which was the imposing the five subsidies after the second parliament spoken of before) was, men would much easier have submitted to it; as it is notoriously known, that pressure was borne with much more cheerfulness before the judgment for the king, than ever it was after; men before pleasing themselves with doing somewhat for the king's service, as a testimony of their affection, which they were not bound to do; many really believing the necessity, and therefore thinking the burden reasonable; others observing, that the access to the king was of importance, when the damage to them was not considerable; and all assuring themselves, that when they should be weary, or unwilling to continue the payment, they might resort to the law for relief, and find it. But when they heard this demanded in a court of law, as a right, and found it, by sworn judges of the law, adjudged so, upon such grounds and reasons as every stander-by was able to swear was not law, and so had lost the pleasure and delight of being kind and dutiful to the king; and, instead of giving, were required to pay, and by a logic that left no man any thing which he might call his own; they no more looked upon it as the case of one man, but the case of the kingdom, nor as an imposition laid upon them by the king, but by the judges; which they thought themselves bound in conscience to the public justice not to submit to. It was an observation long ago by Thucydides, "That men are much more passionate for injustice, than for violence; because (says he) the one coming as from an equal, seems rapine; when the other, proceeding from one stronger, is but the effect of necessity." So, when ship-money was transacted at the council-board, they looked upon it as a work of that power they were always obliged to trust, and an effect of that foresight they were naturally to rely upon. Imminent necessity, and public safety, were convincing persuasions; and it might not seem of apparent ill consequence to them, that upon an emergent occasion the regal power should fill up an hiatus, or supply an impotency in the law. But when they saw in a court of law, (that law that gave them title and possee-

ship  
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sion of all that they had) apothegms of state urged as elements of law, judges as sharp-sighted as secretaries of state, and in the mysteries of state; judgment of law grounded upon matter of fact, of which there was neither inquiry or proof; and no reason given for the payment of the thirty shillings in question, but what concluded the estates of all the standers-by; they had no reason to hope that that doctrine, or the preachers of it, would be contained within any bounds; and it was no wonder that they, who had so little reason to be pleased with their own condition, were not less solicitous for, or apprehensive of, the inconveniences that might attend any alteration.

And here the damage and mischief cannot be expressed, that the crown and state sustained by the deserved reproach and infamy that attended the judges, by being made use of in this and the like acts of power; there being no possibility to preserve the dignity, reverence, and estimation of the laws themselves, but by the integrity and innocency of the judges. And no question, as the exorbitancy of the house of commons this parliament hath proceeded principally from their contempt of the laws, and that contempt from the scandal of that judgment; so the concurrence of the house of peers in that fury can be imputed to no one thing more, than to the irreverence and scorn the judges were justly in; who had been always before looked upon there as the oracles of the law, and the best guides and directors of their opinions and actions: and they now thought themselves excused for swerving from the rules and customs of their predecessors (who in altering and making of laws, in judging of things and persons, had always observed the advice and judgment of those sages) in not asking questions of those whom they knew nobody would believe; and thinking it a just reproach upon them, (who out of their gentleness had submitted the difficulties and mysteries of the law to be measured by the standard of general reason, and explained by the wisdom of state,) to see those men make use of the license they had taught, and determine that to be law, which they thought reasonable, or found to be convenient. If these men had preserved the simplicity of their ancestors, in severely and strictly defending the laws, other men had observed the modesty of theirs, in humbly and dutifully obeying them.

And upon this consideration it is very observable, that in the wisdom of former times, when the prerogative went highest, (as very often it hath been swoln above any pitch we have seen it at in our times,) never any court of law, very seldom any judge, or lawyer of reputation, was called upon to assist in an act of power; the crown well knowing the moment of keeping those the objects of reverence and veneration with the people: and that though it might sometimes make sallies upon them by the prerogative, yet the law would keep the people from any invasion of it, and that the king could never suffer, whilst the law and the judges were looked upon by the subject, as the asyla for their liberties, and security. And therefore you shall find the policy of many princes hath endured as sharp animadversions and reprehensions from the judges of the law, as their piety hath from the bishops of the church; imposing no less upon the people, under the reputation of justice, by the one, than of conscience and religion, by the other.

To extend this consideration of the form and circumstance of proceeding in cases of an unusual nature a little farther; as it may be most behoveful for princes in matters of grace and honour, and in conferring of favours upon their people, to transact the same as publicly as may be, and by themselves, or their ministers, to dilate upon it, and improve the lustre by any addition, or eloquence of speech; (where, it may be, every kind word, especially from the prince himself, is looked upon as a new bounty;) so it is as requisite in matters of judgment, punishment, and censure upon things, or persons, (especially when the case, in the nature of it, is unusual, and the rules in judging as extraordinary,) that the same be transacted as privately, and with as little noise and pomp of words, as may be. For (as damage is much easier borne and submitted to by generous minds, than disgrace) in the business of the ship-money, and in many other cases in the star-chamber, and at council-board, there were many impertinencies, incongruities, and insolencies, in the speeches and orations of the judges, much more offensive, and much more scandalous than the judgments and sentences themselves. Besides that men's minds and understandings were more instructed to discern the consequence of things, which before they considered not. As undoubtedly, my lord Finch's speech in the exchequer-chamber made ship-money much more abhorred and formidable, than all the commitments by the council-table, and all the distresses taken by the sheriffs in England; the major part of men (besides the common unconcernedness in other men's sufferings) looking upon those proceedings as a kind of applause to themselves, to see other men punished for not doing as they had done; which delight was quickly determined, when they found their own interest, by the unnecessary logic of that argument, no less concluded than Mr. Hambden's.

And he hath been but an ill observer of the passages of those times we speak of, who hath not seen many sober men, who have been clearly satisfied with the conveniency, necessity, and justice of many sentences, depart notwithstanding extremely offended, and scandalized with the grounds, reasons, and expressions of those who inflicted those censures; when they found themselves, thinking to be only spectators of other men's sufferings, by some unnecessary inference or declaration, in probable danger to become the next delinquents.

They who look back upon the council-books of queen Elizabeth, and the acts of the star-chamber then, shall find as high instances of power and sovereignty upon the liberty and property of the subject, as can be since given. But the art, order, and gravity of those proceedings (where short, severe, constant rules were set, and smartly pursued, and the party only felt the weight of the judgment, not the passion of his judges) made them less taken notice of, and so less grievous to the public, though as intolerable to the person: whereas, since those excellent rules of the council-board were less observed, and debates (which ought to be in private, and in the absence of the party concerned, and thereupon the judgment of the table to be pronounced by one, without the interposition of others, or reply of the party) suffered to be public, questions to be asked, passions discovered, and opinions to be promiscuously delivered; all advice, directions, reprehensions, and censures of those places grew to be in less reverence and esteem; so that,

besides the delay and interruption in despatch, the justice and prudence of the counsels did not many times weigh down the infirmity and passion of the counsellors; and both suitors and offenders returned into their country, with such exceptions and arguments against persons, as brought and prepared much prejudice to whatsoever should proceed from thence; and whatever excuses shall be made, or arguments given, that upon such extraordinary occasions there was a necessity of some pains and care to convince the understandings of men with the reasons and grounds of their proceeding, (which, if what was done had been only *ad informandum conscientiam* without reproach, or penalty, might have been reasonable,) it is certain the inconvenience and prejudice, that grew thereby, was greater than the benefit: and the reasons of the judges being many times not the reasons of the judgment, that might more satisfactorily and more shortly been put in the sentence itself, than spread in the discourses of the censurers.

These errors (for errors they were in view, and errors they are proved by the success) are not to be imputed to the court, but to the spirit and over-activity of the lawyers themselves; who should more carefully have preserved their profession and the professors, from being profaned by those services which have rendered both so obnoxious to reproach. There were two persons of that profession, and of that time, by whose several and distinct constitutions (the one knowing nothing of nor caring for the court; the other knowing or caring for nothing else) those mischiefs were introduced; Mr. Noy, the attorney general; and sir John Finch, first, lord chief justice of the common pleas, and then lord keeper of the great seal of England.

The first, upon the great fame of his ability and learning, (and very able and learned he was,) was, by great industry and importunity from court, persuaded to accept that place, for which all other men laboured, (being the best, for profit, that profession is capable of,) and so he suffered himself to be made the king's attorney general. The court made no impression upon his manners; upon his mind it did: and though he wore about him an affected morosity, which made him unapt to flatter other men, yet even that morosity and pride rendered him the most liable to be grossly flattered himself, that can be imagined. And by this means the great persons, who steered the public affairs, by admiring his parts, and extolling his judgment as well to his face as behind his back, wrought upon him by degrees, for the eminency of the service, to be an instrument in all their designs; thinking that he could not give a clearer testimony, that his knowledge in the law was greater than all other men's, than by making that law which all other men believed not to be so. So he moulded, framed, and pursued the odious and crying project of soap; and with his own hand drew and prepared the writ for ship-money, both which will be the lasting monuments of his fame. In a word, he was an unanswerable instance, how necessary a good education and knowledge of men is to make a wise man, at least a man fit for business.

Sir John Finch had much that the other wanted, but nothing that the other had. Having led a licentious life in a restrained fortune, and having set up upon the stock of a good wit, and natural parts, without the superstructure of much knowledge in the profession by which he was to grow; [he]

was willing to use those weapons in which he had most skill, and (so being not unseen in the affections of the court, but not having reputation enough to guide or reform them) he took up ship-money where Mr. Noy left it; and, being a judge, carried it up to that pinnacle, from whence he almost broke his own neck; having, in his journey thither, too much a solicitor to induce his brethren to concur in a judgment they had all cause to repent. To which, his declaration, after he was keeper of the great seal of England, must be added, upon a demurrer put in to a bill before him, which had no other equity in it, than an order of the lords of the council; "that whilst he was keeper, no man should be so saucy to dispute those orders, but that the wisdom of that board should be always ground enough for him to make a decree in "chancery;" which was so great an aggravation of the excess of that table, that it received more prejudice from that act of unreasonable countenance and respect, than from all the contempt could possibly have been offered to it. But of this no more.

Now after all this (and I hope I cannot be accused of much flattery in this inquisition) I must be so just as to say, that, during the whole time that these pressures were exercised, and those new and extraordinary ways were run, that is, from the dissolution of the parliament in the fourth year, to the beginning of this parliament, which was above twelve years, this kingdom, and all his majesty's dominions, (of the interruption in Scotland somewhat shall be said in its due time and place,) enjoyed the greatest calm, and the fullest measure of felicity, that any people in any age, for so long time together, have been blessed with; to the wonder and envy of all the parts of Christendom.

And in this comparison I am neither unmindful of, nor ungrateful for, the happy times of queen Elizabeth, or for those more happy under king James. But for the former, the doubts, hazards, and perplexities, upon a total change and alteration of religion, and some confident attempts upon a farther alteration by those who thought not the reformation enough; the charge, trouble, and anxiety of a long continued war (how prosperous and successful soever) even during that queen's whole reign; and (besides some domestic ruptures into rebellion, frequently into treason; and besides the blemish of an unparalleled act of blood upon the life of a crowned neighbour queen and ally) the fear and apprehension of what was to come (which is one of the most unpleasant kinds of melancholy) from an unknown, at least an unacknowledged, successor to the crown, clouded much of that prosperity then, which now shines with so much splendour before our eyes in chronicle.

And for the other under king James, (which indeed were excellent times *bona si sua norint*;) the mingling with a stranger nation, formerly not very gracious with this, which was like to have more interest of favour: the subjection to a stranger prince, whose nature and disposition they knew not: the noise of treason, the most prodigious that had ever been attempted, upon his first entrance into the kingdom: the wants of the crown not inferior to what it hath since felt, (I mean whilst it sat right on the head of the king,) and the pressures upon the subject of the same nature, and no less complained of: the absence of the prince in Spain, and the solicitude that his highness might not be disposed in marriage to the daughter of that king-

dom, rendered the calm and tranquillity of that time less equal and pleasant. To which may be added the prosperity and happiness of the neighbour kingdoms not much inferior to that of this, which, according to the pulse of states, is a great diminution of their health; at least their prosperity is much improved, and more visible, by the misery and misfortunes of their neighbours.

The happiness of the times I mentioned was enviously set off by this, that every other kingdom, every other province were engaged, some entangled, and some almost destroyed, by the rage and fury of arms; those which were ambitiously in contention with their neighbours, having the view and apprehensions of the miseries and desolation, which they saw other states suffer by a civil war; whilst the kingdoms we now lament were alone looked upon as the garden of the world; Scotland (which was but the wilderness of that garden) in a full, entire, undisturbed peace, which they had never seen; the rage and barbarism (that the blood, for of the charity we speak not) of their private feuds, being composed to the reverence, or to the awe, of public justice; in a competency, if not in an excess of plenty, which they had never hope to see, and in a temper (which was the utmost we desired and hoped to see) free from rebellion: Ireland, which had been a sponge to draw, and a gulph to swallow all that could be spared, and all that could be got from England, merely to keep the reputation of a kingdom, reduced to that good degree of husbandry and government, that it not only subsisted of itself, and gave this kingdom all that it might have expected from it; but really increased the revenue of the crown forty or fifty thousand pounds a year, besides much more to the people in the traffick and trade from thence; arts and sciences fruitfully planted there; and the whole nation beginning to be so civilized, that it was a jewel of great lustre in the royal diadem.

When these outworks were thus fortified and adorned, it was no wonder if England was generally thought secure, with the advantages of its own climate; the court in great plenty, or rather (which is the discredit of plenty) excess, and luxury; the country rich, and, which is more, fully enjoying the pleasure of its own wealth, and so the easier corrupted with the pride and wantonness of it; the church flourishing with learned and extraordinary men, and (which other good times wanted) supplied with oil to feed those lamps; and the protestant religion more advanced against the church of Rome by writing, (without prejudice to other useful and godly labours,) especially by those two books of the late lord archbishop of Canterbury his grace, and of Mr. Chillingworth, than it had been from the reformation; trade increased to that degree, that we were the exchange of Christendom, (the revenue thereof to the crown being almost double to what it had been in the best times,) and the bullion of all other kingdoms brought to receive a stamp from the mint of England; all foreign merchants looking upon nothing as their own, but what they had laid up in the warehouses of this kingdom; the royal navy, in number and equipage much above former times, very formidable at sea; and the reputation of the greatness and power of the king much more with foreign princes than any of his progenitors; for those rough courses, which made him haply less loved at home, made him more feared abroad; by how much the power of

kingdoms is more revered than their justice by their neighbours: and it may be, this consideration might not be the least motive, and may not be the worst excuse for those counsels. Lastly, for a complement of all these blessings, they were enjoyed by, and under the protection of, a king, of the most harmless disposition, and the most exemplary piety, the greatest example of sobriety, chastity, and mercy, that any prince hath been endowed with, (and God forgive those that have not been sensible of, and thankful for, those endowments,) and who might have said, that which Pericles was proud of, upon his deathbed, "that no Englishman had ever worn a black gown through his occasion." In a word, many wise men thought it a time, wherein those two miserable adjuncts, which Nerva was deified for uniting, *imperium et libertas*, were as well reconciled as is possible.

But all these blessings could but enable, not compel us to be happy: we wanted that sense, acknowledgment, and value of our own happiness, which all but we had; and took pains to make, when we could not find, ourselves miserable. There was in truth a strange absence of understanding in most, and a strange perverseness of understanding in the rest: the court full of excess, idleness, and luxury; and the country full of pride, mutiny, and discontent; every man more troubled and perplexed at that they called the violation of one law, than delighted or pleased with the observation of all the rest of the charter: never imputing the increase of their receipts, revenue, and plenty, to the wisdom, virtue, and merit of the crown, but objecting every small imposition to the exorbitancy and tyranny of the government; the growth of knowledge and learning being disrelished, for the infirmities of some learned men, and the increase of grace and favour upon the church more repined and murmured at, than the increase of piety and devotion in the church, which was as visible, acknowledged, or taken notice of; whilst the indiscretion and folly of one sermon at Whitehall was more bruited abroad, and commented upon, than the wisdom, sobriety, and devotion of a hundred.

It cannot be denied but there was sometimes preached there matter very unfit for the place, and very scandalous for the persons, who presumed often to determine things out of the verge of their own profession, and, in *ordine ad spiritualia*, gave unto Cæsar what Cæsar refused to receive, as not belonging to him. But it is as true (as was once said by a man fitter to be believed in that point than I, and one not suspected for flattering of the clergy) "that if the sermons of those times preached in court were collected together, and published, the world would receive the best bulk of orthodox divinity, profound learning, convincing reason, natural powerful eloquence, and admirable devotion, that hath been communicated in any age since the apostles' time." And I cannot but say, for the honour of the king, and of those who were trusted by him in his ecclesiastical collations (who have received but sad rewards for their uprightness) in those reproached, condemned times, there was not one churchman, in any degree of favour or acceptance, (and this the inquisition, that hath been since made upon them—a stricter never was in any age—must confess,) of a scandalous insufficiency in learning, or of a more scandalous condition in life; but, on the contrary, most of

them of confessed eminent parts in knowledge, and of virtuous or unblemished lives. And therefore wise men knew, that that, which looked like pride in some, and like petulance in others, would, by experience in affairs, and conversation amongst men, both of which most of them wanted, be in time wrought off, or, in a new succession, reformed, and so thought the vast advantage from their learning and integrity, an ample recompense for any inconvenience from their passion; and yet, by the prodigious impiety of those times, the latter was only looked on with malice and revenge, without any reverence or gratitude for the former.

When the king found himself possessed of all that tranquillity mentioned before, that he had no reason to apprehend any enemies from abroad, and less any insurrections at home, against which no kingdom in Christendom, in the constitution of its government, in the solidity and execution of the laws, and in the nature and disposition of the people, was more secure than England; that he might take a nearer view of those great blessings which God had poured upon him, he resolved to make a progress into the northern parts of his kingdom, and to be solemnly crowned in his kingdom of Scotland, which he had never seen from the time he first left it, when he was of the age of two years, and no more. In order to this journey, which was made with great splendour, and proportionable expense, he added to the train of his court many of the greatest nobility, who cared not to add to the pomp of the court at their own charge, which they were obliged to do, and did with all visible alacrity submit to the king's pleasure, as soon as they knew his desire; and so his attendance in all respects was proportionable to the glory of the greatest king.

This whole progress was made, from the first setting out to the end of it, with the greatest magnificence imaginable; and the highest excess of feasting was then introduced, or, at least, carried to a height it had never been before; and from whence it hardly declined afterwards, to the great damage and mischief of the nation in their estates and manners. All persons of quality and condition, who lived within distance of the northern road, received the great persons of the nobility with that hospitality which became them; in which all cost was employed to make their entertainments splendid, and their houses capable for those entertainments. And the king himself met with many treatments of that nature, at the charge of particular men, who desired the honour of his presence, which had been rarely practised till then by the persons of the best condition, though it hath since grown into a very inconvenient custom. But when he passed through Nottinghamshire, both king and court were received and entertained by the earl of Newcastle, and at his own proper expense, in such a wonderful manner, and in such an excess of feasting, as had never before been known in England; and would be still thought very prodigious, if the same noble person had not, within a year or two afterwards, made the king and queen a more stupendous entertainment; which, (God be thanked,) though possibly it might too much whet the appetite of others to excess, no man ever after imitated.

The great offices of the court, and principal places of attendance upon the king's person, were then upon the matter equally divided between the

English and the Scots; the marquis of Hamilton master of the horse, and the earl of Carlisle first gentleman of the bedchamber, and almost all the second relation in that place, being of that kingdom; so that there was as it were an emulation between the two nations, which should appear in the greatest lustre, in clothes, horses, and attendance: and as there were (as is said before) many of the principal nobility of England, who attended upon the king, and who were not of the court; so the court was never without many Scots volunteers, and their number was well increased upon this occasion in nobility and gentry, who were resolved to convince all those who had believed their country to be very poor.

The king no sooner entered Scotland, but all his English servants and officers yielded up their attendance to those of the Scots nation, who were admitted into the same offices in Scotland, or had some titles to those relations by the constitution of that kingdom; as most of the great offices are held by inheritance; as the duke of Richmond and Lenox was then high steward, and high admiral of Scotland by descent, as others had the like possession of other places; so that all the tables of the house, which had been kept by the English officers, were laid down, and taken up again by the Scots, who kept them up with the same order, and equal splendour, and treated the English with all the freedom and courtesy imaginable; as all the nobility of that nation did, at their own expense, where their offices did not entitle them to tables at the charge of the crown, keep very noble houses to entertain their new guests; who had so often and so well entertained them: and it cannot be denied, the whole behaviour of that nation towards the English was as generous and obliging as could be expected; and the king appeared with no less lustre at Edinburgh, than at Whitehall; and in this pomp his coronation passed with all the solemnity and evidence of public joy that can be imagined, or could be expected; and the parliament, then held, with no less demonstration of duty, passed and presented those acts which were prepared for them to the royal sceptre; in which were some laws which restrained the extravagant power of the nobility, which, in many cases, they had long exercised, and the diminution whereof they took very heavily, though at that time they took little notice of it; the king being absolutely advised in all the affairs of that kingdom then, and long before, and after, by the sole counsel of the marquis of Hamilton, who was, or at least then believed to be, of the greatest interest of any subject in that kingdom, of whom more will be said hereafter.

The king was very well pleased with his reception, and with all the transactions there; nor indeed was there any thing to be blamed, but the luxury and vast expense, which abounded in all respects of feasting and clothes with too much license: which being imputed to the commendable zeal of the people of all conditions, to see their king amongst them, whom they were not like to see there again, and so their expense was to be but once made, and to the natural pride and vanity of that people, who will bear any inconveniences in it or from it, than confess the poverty of their country, no man had cause to suspect any mischief from it: and yet the debts contracted at that time by the nobility and gentry, and the wants and

temptations they found themselves exposed to, from that unlimited expense, did very much contribute to the kindling that fire, which shortly after broke out in so terrible a combustion: nor were the sparks of murmur and sedition then so well covered, but that many discerning men discovered very pernicious designs to lurk in their breasts, who seemed to have the most cheerful countenance, and who acted great parts in the pomp and triumph. And it evidently appeared, that they of that nation, who shined most in the court of England, had the least influence in their own country, except only the marquis of Hamilton, whose affection to his master was even then suspected by the wisest men in both kingdoms; and that the immense bounties the king and his father had scattered amongst those of that nation, out of the wealth of England, besides that he had sacrificed the whole revenue and benefit of that kingdom to themselves, were not looked upon as any benefit to that people, but as obligations cast away upon particular men; many of whom had with it wasted their own patrimony in their country.

The king himself observed many of the nobility to endeavour to make themselves popular by speaking in parliament against those things which were most grateful to his majesty, and which still passed, notwithstanding their contradiction; and he thought a little discountenance upon those persons would either suppress that spirit within themselves, or make the poison of it less operative upon others. But as those acts of discountenance were too often believed to proceed from the displeasure of the marquis of Hamilton, and so rather advanced than depressed the object, so that people have naturally an admirable dexterity in sheltering themselves from any of those acts of discountenance, which they had no mind to own; (as they are equal promoters and promulgators of it, though not intended when they can make benefit by it;) when it hath been notoriously visible, and it was then notorious, that many of the persons then, as the earl of Rothes, and others, of whom the king had the worst opinion, and from whom he most purposely withheld any grace by never speaking to them, or taking notice of them in the court, when the king was abroad in the fields, or passing through villages, when the greatest crowds of people flocked to see him, those men would still be next him, and entertain him with some discourse, and pleasant relations, which the king's gentle disposition could not avoid, and which made those persons to be generally believed to be most acceptable to his majesty; upon which the lord Falkland was wont to say, "that keeping of state was like committing adultery, there must go two to it;" for let the proudest or most formal man resolve to keep what distance he will towards others, a bold and confident man instantly demolishes that whole machine, and gets within him, and even obliges him to his own laws of conversation.

The king was always the most punctual observer of all decency in his devotion, and the strictest promoter of the ceremonies of the church, as believing in his soul the church of England to be instituted the nearest to the practice of the apostles, and the best for the propagation and advancement of Christian religion, of any church in the world: and on the other side, though no man was more averse from the Romish church than he was, nor better understood the motives of their separation

from us, and animosity against us, he had the highest dislike and prejudice to that part of his own subjects, who were against the government established, and did always look upon them as a very dangerous and seditious people; who would, under pretence of conscience, which kept them from submitting to the spiritual jurisdiction, take the first opportunity they could find, or make, to disturb and withdraw themselves from their temporal subjection; and therefore he had, with the utmost vigilance, caused that temper and disposition to be watched and provided against in England; and if it were then in truth there, it lurked with wonderful secrecy. In Scotland indeed it covered the whole nation, so that though there were bishops in name, the whole jurisdiction, and they themselves were, upon the matter, subject to an assembly, which was purely presbyterian; no form of religion in practice, no liturgy, nor the least appearance of any beauty of holiness: the clergy, for the most part, corrupted in their principles; at least, (for it cannot be denied but that their universities, especially Aberdeen, flourished under many excellent scholars and very learned men,) none countenanced by the great men, or favoured by the people, but such; yet, though all the cathedral churches were totally neglected with reference to those administrations over the whole kingdom, yet the king's own chapel at Holyrood-house had still been maintained with the decency and splendour of the cathedral service, and all other formalities incident to the royal chapel; and the whole nation seemed, in the time of king James, well inclined to receive the liturgy of the church of England, which the king exceedingly desired, and was so confident of, that they who were privy to the counsels of that king in that time did believe, that the bringing that work to pass was the principal end of his progress thither some years before his death; though he was not so well satisfied at his being there, two or three of the principal persons trusted by him in the government of that kingdom, dying in or about that very time: but [though] he returned without making any visible attempt in that affair, yet he retained still the purpose and resolution to his death to bring it to pass. However, his two or three last years were less pleasant to him, by the prince's voyage into Spain, the jealousies which, about that time, began in England, and the imperious proceedings in parliament there, so that he thought it necessary to suspend any prosecution of that design, until a more favourable conjuncture, and he lived not to see that conjuncture.

The king his son, who, with his kingdoms and other virtues, inherited that zeal for religion, proposed nothing more to himself, than to unite his three kingdoms in one form of God's worship, and in a uniformity in public devotions; and there being now so great a serenity in all his dominions as is mentioned before, there is great reason to believe, that in this journey into Scotland to be crowned, he carried the resolution with him to finish that important business in the church at the same time. And to that end, the then bishop of London, Dr. Laud, attended on his majesty throughout that whole journey, which, as he was dean of the chapel, he was not obliged to do, and no doubt would have been excused from, if that design had not been in view; to accomplish which he was not less solicitous than the king himself, nor the king the less solicitous for his advice. He preached in

the royal chapel, (which scarce any Englishman had ever done before in the king's presence,) and principally upon the benefit of conformity, and the reverent ceremonies of the church, with all the marks of approbation and applause imaginable; the great civility of that people being so notorious and universal, that they would not appear unconformable to his majesty's wish in any particular. And many wise men were then and still are of opinion, that if the king had then proposed the liturgy of the church of England to have been received and practised by that nation, it would have been submitted to against all opposition: but, upon mature consideration, the king concluded that it was not a good season to promote that business.

He had passed two or three acts of parliament, which had much lessened the authority and dependence of the nobility and great men, and incensed and disposed them proportionably to cross and oppose any proposition, which would be most grateful; and that tharteous humour was enough discovered to rule in the breasts of many, who made the greatest professions. Yet this was not the obstruction which diverted the king: the party that was averse from the thing, and abhorred any thought of conformity, could not have been powerful enough to have stopped the progress of it; the mischief was, that they who most desired it, and were most concerned to promote it, were the men who used all their credit to divert the present attempting it; and the bishops themselves, whose interest was to be most advanced thereby, applied all their counsels secretly to have the matter more maturely considered; and the whole design was never consulted but privately, and only some few of the great men of that nation, and some of the bishops, advised with by the king, and the bishop of London; it being manifest enough, that as the finishing that great affair must be very grateful to England, so the English must not appear to have a hand in the contriving and promoting it.

The same, who did not only pretend, but really and heartily wish, that they might have a liturgy to order and regulate the worship of God in their churches, and did very well approve the ceremonies established in the church of England, and desired to submit and practise the same there, had no mind that the very liturgy of the church of England should be proposed to, or accepted by them; for which they offered two prudential reasons, as their observations upon the nature and humour of the nation, and upon the conferences they had often had with the best men upon that subject, which was often agitated in discourse, upon what had been formerly projected by king James, and upon what frequently occurred to wise men in discourses upon the thing itself, and the desirableness of it.

The first was, that the English liturgy, how piously and wisely soever framed and instituted, had found great opposition: and though the matter of the ceremonies had wrought for the most part only upon light-headed, weak men, whose satisfaction was not to be laboured; yet there were many grave and learned men, who excepted against some particulars, which would not be so easily answered; "That the reading Psalms being of the old translation were in many particulars so different from the new and better translation, that many instances might be given of importance to the sense and truth of scripture." They

said somewhat of the same nature concerning the translation of the Epistles and Gospels, and some other exceptions against reading the Apocrypha, and some other particulars of less moment; and desired, "that, in forming a liturgy for their church, they might, by reforming those several instances, give satisfaction to good men, who would thereupon be easily induced to submit to it."

The other, which no doubt but took this in the way to give it the better introduction, was, "that the kingdom of Scotland generally had been long jealous, that, by the king's continued absence from them, [it] should by degrees be reduced to be but as a province to England, and subject to their laws and government, which it would never submit to; nor would any man of honour, who loved the king best, and respected England most, ever consent to bring that dishonour upon his country. If the very liturgy, in the terms it is constituted and practised in England, should be offered to them, it would kindle and inflame that jealousy, as the prologue and introduction to that design, and as the first rung of the ladder, which should serve to mount over all their customs and privileges, and be opposed and detested accordingly: whereas, if his majesty would give order for the preparing a liturgy, with those few desirable alterations, it would easily be done; and in the mean time they would so dispose the minds of the people for the reception of it, that they should even desire it." And this expedient was so passionately and vehemently urged even by the bishops, that, however they referred to the minds and humours of other men, it was manifest enough, that the exception and advice proceeded from the pride of their own hearts.

The bishop of London, who was always present with the king at these debates, was exceedingly troubled at this interjection, and to find those men the instruments in it, who had seemed to him as solicitous for the expedition, as zealous for the thing itself, and who could not but suffer by the delay. He knew well how far any enemies to conformity would be from being satisfied with those small alterations, which being consented to, they would with more confidence, though less reason, frame other exceptions, and insist upon them with more obstinacy. He foresaw the difficulties which would arise in rejecting, or altering, or adding to the liturgy, which had so great authority, and had, by the practice of near fourscore years, obtained great veneration from all protestants; and how much easier it would be to make objections against any thing that should be new, than against the old; and would therefore have been very glad that the former resolution might be pursued; there having never been any thought in the time of king James, or the present king, but of the English liturgy; besides that any variation from it, in how small matters soever, would make the uniformity the less, the manifestation whereof was that which was most aimed at and desired.

The king had exceedingly set his heart upon the matter, and was as much scandalized as any man at the disorder and indecency in the exercise of religion in that church: yet he was affected with what was offered for a little delay in the execution, and knew more of the ill humour and practices amongst the greatest men of the kingdom at that



season, than the bishop did, and believed he could better compose and reduce them in a little time, and at a distance, than at the present, and whilst he was amongst them. Besides he was in his nature too much inclined to the Scots nation, having been born amongst them, and as jealous as any one of them could be that their liberties and privileges might not be invaded by the English, who, he knew, had no reverence for them: and therefore the objection, "that it would look like an imposition from England, if a form, settled in parliament at Westminster, should without any alteration be tendered (though by himself) to be submitted to, and observed in Scotland," made a deep impression in his majesty.

In a word, he committed the framing and composing such a liturgy as would most probably be acceptable to that people, to a select number of the bishops there, who were very able and willing to undertake it: and so his majesty returned into England, at the time proposed to himself, without having ever proposed, or made the least approach in public towards any alteration in the church.

It had been very happy, if there had been then nothing done indeed, that had any reference to that affair, and that, since it was not ready to promote it, nothing had been transacted, which accidentally alienated the affections of the people from it; and this was imputed to the bishop of London, who was like enough to be guilty of it, since he did naturally believe, that nothing more contributed to the benefit and advancement of the church, than the promotion of churchmen to places of the greatest honour, and offices of the highest trust: and this opinion and the prosecution of it (though his integrity was unquestionable, and his zeal as great for the good and honour of the state, as for the advancement and security of the church) was the unhappy foundation of his own ruin, and of the prejudice towards, and malice against, and almost destruction of the church.

During the king's stay in Scotland, when he found the conjuncture not yet ripe for perfecting that good order which he intended in the church, he resolved to leave a monument behind him of his own affection and esteem of it. Edinburgh, though the metropolis of the kingdom, and the chief seat of the king's own residence, and the place where the council of state and the courts of justice still remained, was but a borough town within the diocese of the archbishop of saint Andrew's, and governed in all church affairs by the preachers of the town; who, being chosen by the citizens from the time of Mr. Knox, (who had a principal hand in the suppression of popery, with circumstances not very commendable to this day,) had been the most turbulent and seditious ministers of confusion that could be found in the kingdom; of which king James had so sad experience, after he came to age, as well as in his minority, that he would often say, "that his access to the crown of England was the more valuable to him, as it redeemed him from the subjection to their ill manners and insolent practices, which he could never shake off before." The king, before his return from thence, with the full consent and approbation of the archbishop of saint Andrew's, erected Edinburgh into a bishopric, assigned it a good and convenient jurisdiction out of the nearest limits of the diocese of saint Andrew's, appointed the fairest church in the town to be the cathedral, settled a competent revenue

upon the bishop out of lands purchased by his majesty himself from the duke of Lenox, who sold it much the cheaper, that it might be consecrated to so pious an end; and placed a very eminent scholar of a good family in the kingdom, who had been educated in the university of Cambridge, to be the first bishop in that his new city; and made another person, of good fame and learning, his first dean of his new cathedral, upon whom likewise he settled a proper maintenance; hoping by this means the better to prepare the people of the place, who were the most numerous and richest of the kingdom, to have a due reverence to order and government, and at least to discountenance, if not suppress, the factious spirit of presbytery, which had so long ruled there. But this application little contributed thereunto: and the people generally thought, that they had too many bishops before, and so the increasing the number was not like to be very grateful to them.

The bishops had indeed very little interest in the affection of that nation, and less authority over it; they had not power to reform or regulate their own cathedrals, and very rarely shewed themselves in the habit and robes of bishops; and durst not contest with the general assembly in matters of jurisdiction: so that there was little more than the name of episcopacy preserved in that church. To redeem them from that contempt, and to shew that they should be considerable in the state, how little authority soever they were permitted to have in the church, the king made the archbishop of saint Andrew's, a learned, wise, and pious man, and of long experience, chancellor of the kingdom, (the greatest office, and which had never been in the hands of a churchman since the reformation of religion, and suppressing the pope's authority,) and four or five other bishops of the privy-council, or lords of the session; which his majesty presumed, by their power in the civil government, and in the judicatories of the kingdom, would render them so much the more revered, and the better enable them to settle the affairs of the church: which fell out otherwise too; and it had been better that envious promotion had been suspended, till by their grave and pious deportment they had wrought upon their clergy to be better disposed to obey them, and upon the people to like order and discipline; and till by these means the liturgy had been settled, and received amongst them; and then the advancing some of them to greater honour might have done well.

But this unseasonable accumulation of so many honours upon them, to which their functions did not entitle them, (no bishop having been so much as a privy-councillor in very many years,) exposed them to the universal envy of the whole nobility, many whereof wished them well, as to all their ecclesiastical qualifications, but could not endure to see them possessed of those offices and employments, which they looked upon as naturally belonging to them; and then the number of them was thought too great, so that they overbalanced many debates; and some of them, by want of temper, or want of breeding, did not behave themselves with that decency in their debates, towards the greatest men of the kingdom, as in discretion they ought to have done, and as the others reasonably expected from them: so that, instead of bringing any advantage to the church, or facilitating the good intentions of the king in settling order and government, it produced a more general



prejudice to it; though for the present there appeared no sign of discontent, or ill-will to them; and the king left Scotland, as he believed, full of affection and duty to him, and well inclined to receive a liturgy, when he should think it seasonable to commend it to them.

It was about the end of August in the year 1633, when the king returned from Scotland to Greenwich, where the queen kept her court; and the first accident of moment, that happened after his coming thither, was the death of Abbot, archbishop of Canterbury; who had sat too many years in that see, and had too great a jurisdiction over the church, though he was without any credit in the court from the death of king James, and had not much in many years before. He had been head or master of one of the poorest colleges in Oxford, and had learning sufficient for that province. He was a man of very morose manners, and a very sour aspect, which, in that time, was called gravity; and under the opinion of that virtue, and by the recommendation of the earl of Dunbar, the king's first Scotch favourite, he was preferred by king James to the bishopric of Coventry and Litchfield, and presently after to London, before he had been parson, vicar, or curate of any parish-church in England, or dean or prebend of any cathedral church; and was in truth, totally ignorant of the true constitution of the church of England, and the state and interest of the clergy; as sufficiently appeared throughout the whole course of his life afterward.

He had scarce performed any part of the office of a bishop in the diocese of London, when he was snatched from thence, and promoted to Canterbury, upon the never enough lamented death of Dr. Bancroft, that metropolitan, who understood the church excellently, and had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of the nonconformists, by and after the conference at Hampton-court; countenanced men of the greatest parts in learning, and disposed the clergy to a more solid course of study, than they had been accustomed to; and, if he had lived, would quickly have extinguished all that fire in England, which had been kindled at Geneva; or if he had been succeeded by bishop Andrews, bishop Overal, or any man who understood and loved the church, that infection would easily have been kept out, which could not afterwards be so easily expelled.

But Abbot brought none of this antidote with him, and considered Christian religion no otherwise, than as it abhorred and reviled popery, and valued those men most, who did that most furiously. For the strict observation of the discipline of the church or the conformity to the articles or canons established, he made little inquiry, and took less care; and having himself made a very little progress in the ancient and solid study of divinity, he adhered wholly to the doctrine of Calvin, and, for his sake, did not think so ill of the discipline as he ought to have done. But if men prudently forbore a public reviling and railing at the hierarchy and ecclesiastical government, let their opinions and private practice be what it would, they were not only secure from any inquisition of his, but acceptable to him, and at least equally preferred by him. And though many other bishops plainly discerned the mischiefs, which daily broke in to the prejudice of religion, by his defects and

remissness, and prevented it in their own dioceses as much as they could, and gave all their countenance to men of other parts and other principles; and though the bishop of London, Dr. Laud, from the time of his authority and credit with the king, had applied all the remedies he could to those defections, and, from the time of his being chancellor of Oxford, had much discountenanced and almost suppressed that spirit, by encouraging another kind of learning and practice in that university, which was indeed according to the doctrine of the church of England; yet that temper in the archbishop, whose house was a sanctuary to the most eminent of that factious party, and who licensed their most pernicious writings, left his successor a very difficult work to do, to reform and reduce a church into order, that had been so long neglected, and that was so ill inhabited by many weak, and more wilful churchmen.

It was within one week after the king's return from Scotland, that Abbot died at his house at Lambeth. And the king took very little time to consider who should be his successor, but the very next time the bishop of London (who was longer upon his way home than the king had been) came to him, his majesty entertained him very cheerfully with this compellation, *My lord's grace of Canterbury, you are very welcome*; and gave order the same day for the dispatch of all the necessary forms for the translation: so that within a month or thereabouts after the death of the other archbishop, he was completely invested in that high dignity, and settled in his palace at Lambeth. This great prelate had been before in great favour with the duke of Buckingham, whose great confidant he was, and by him recommended to the king, as fittest to be trusted in the conferring all ecclesiastical preferments, when he was but bishop of St. David's, or newly preferred to Bath and Wells; and from that time he entirely governed that province without a rival: so that his promotion to Canterbury was long foreseen and expected; nor was it attended with any increase of envy or dislike.

He was a man of great parts, and very exemplary virtues, allayed and discredited by some unpopular natural infirmities; the greatest of which was, (besides a hasty, sharp way of expressing himself,) that he believed innocence of heart, and integrity of manners, was a guard strong enough to secure any man in his voyage through this world, in what company soever he travelled, and through what ways soever he was to pass: and sure never any man was better supplied with that provision. He was born of honest parents, who were well able to provide for his education in the schools of learning, from whence they sent him to St. John's college in Oxford, the worst endowed at that time of any in that famous university. From a scholar he became a fellow, and then the president of that college, after he had received all the graces and degrees (the proctorship and the doctorship) could be obtained there. He was always maligned and persecuted by those who were of the Calvinian faction, which was then very powerful, and who, according to their useful maxim and practice, call every man they do not love, papist; and under this senseless appellation they created him many troubles and vexations; and so far suppressed him, that though he was the king's chaplain, and taken notice of for an excellent preacher, and a scholar of the most sublime parts, he had not any





Excerpted by W T Motte

**GEORGE ABBOT, ARCHBISHOP OF CANTERBURY.**

**OB. 1633**

**FROM THE ORIGINAL IN THE COLLECTION OF**

**THE RIGHT HON<sup>BLE</sup> THE EARL OF VERULAM**



preferment to invite him to leave his poor college, which only gave him bread, till the vigour of his age was past: and when he was promoted by king James, it was but to a poor bishopric in Wales, which was not so good a support for a bishop, as his college was for a private scholar, though a doctor.

Parliaments in that time were frequent, and grew very busy; and the party under which he had suffered a continual persecution, appeared very powerful, and full of design, and they who had the courage to oppose them, began to be taken notice of with approbation and countenance: and under this style he came to be first cherished by the duke of Buckingham, after he had made some experiments of the temper and spirit of the other people, nothing to his satisfaction. From this time he prospered at the rate of his own wishes, and being transplanted out of his cold barren diocese of St. David's, into a warmer climate, he was left, as was said before, by that omnipotent favourite in that great trust with the king, who was sufficiently indisposed towards the persons or the principles of Mr. Calvin's disciples.

When he came into great authority, it may be, he retained too keen a memory of those who had so unjustly and uncharitably persecuted him before; and, I doubt, was so far transported with the same passions he had reason to complain of in his adversaries, that, as they accused him of popery, because he had some doctrinal opinions which they liked not, though they were nothing allied to popery; so he entertained too much prejudice to some persons, as if they were enemies to the discipline of the church, because they concurred with Calvin in some doctrinal points; when they abhorred his discipline, and revered the government of the church, and prayed for the peace of it with as much zeal and fervency as any in the kingdom; as they made manifest in their lives, and in their sufferings with it, and for it. He had, from his first entrance into the world, without any disguise or dissimulation, declared his own opinion of that classis of men; and, as soon as it was in his power, he did all he could to hinder the growth and increase of that faction, and to restrain those who were inclined to it, from doing the mischief they desired to do. But his power at court could not enough qualify him to go through with that difficult reformation, whilst he had a superior in the church, who, having the reins in his hand, could slacken them according to his own humour and indiscretion; and was thought to be the more remiss, to irritate his cholerick disposition. But when he had now the primacy in his own hand, the king being inspired with the same zeal, he thought he should be to blame, and have much to answer, if he did not make haste to apply remedies to those diseases, which he saw would grow apace.

In the end of September of the year 1633, he was invested in the title, power, and jurisdiction of archbishop of Canterbury, and entirely in possession of the revenue thereof, without a rival in church or state; that is, no man professed to oppose his greatness; and he had never interposed or appeared in matter of state to this time. His first care was, that the place he was removed from might be supplied with a man who would be vigilant to pull up those weeds, which the London soil was too apt to nourish, and so drew his old friend and companion Dr. Juxon as near to him

as he could. They had been fellows together in one college in Oxford,<sup>1</sup> and, when he was first made bishop of saint David's, he made him president of that college: when he could no longer keep the deanery of the chapel royal, he made him his successor in that 'near attendance,' upon the king: and now he was raised to be archbishop, he easily prevailed with the king to make the other, bishop of London, before, or very soon after, he had been consecrated bishop of Hereford, if he were more than elect of that church.

It was now a time of great ease and tranquillity; the king (as hath been said before) had made himself superior to all those difficulties and straits he had to contend with the four first years he came to the crown at home; and was now revered by all his neighbours, who all needed his friendship, and desired to have it; the wealth of the kingdom notorious to all the world, and the general temper and humour of it little inclined to the papists, and less to the puritan. There were some late taxes and impositions introduced, which rather angered than grieved the people, who were more than repaired by the quiet, peace, and prosperity they enjoyed; and the murmur and discontent that was, appeared to be against the excess of power exercised by the crown, and supported by the judges in Westminster-hall. The church was not repined at, nor the least inclination to alter the government and discipline thereof, or to change the doctrine. Nor was there at that time any considerable number of persons of any valuable condition throughout the kingdom, who did wish either; and the cause of so prodigious a change in so few years after was too visible from the effects. The archbishop's heart was set upon the advancement of the church, in which he well knew he had the king's full concurrence, which he thought would be too powerful for any opposition; and that he should need no other assistance.

Though the nation generally, as was said before, was without any ill talent to the church, either in the point of the doctrine, or the discipline, yet they were not without a jealousy that popery was not enough discountenanced, and were very averse from admitting any thing they had not been used to, which they called innovation, and were easily persuaded, that any thing of that kind was but to please the papists. Some doctrinal points in controversy had been, in the late years, agitated in the pulpits with more warmth and reflections, than had used to be; and thence the heat and animosity increased in books *pro* and *con* upon the same arguments: most of the popular preachers, who had not looked into the ancient learning, took Calvin's word for it, and did all they could to propagate his opinions in those points: they who had studied more, and were better versed in the antiquities of the church, the fathers, the council, and the ecclesiastical histories, with the same heat and passion in preaching and writing defended the contrary.

But because, in the late dispute in the Dutch churches, those opinions were supported by Jacobus Arminius, the divinity professor in the university of Leyden in Holland, the latter men, we mentioned, were called Arminians; though many of them had never read a word written by Arminius. Either side defended and maintained their different opinions as the doctrine of the church of England, as the two great orders in the church of Rome, the Do-

minicans and Franciscans, did at the same time, and had many hundred years before, with more vehemence and uncharitableness, maintained the same opinions one against the other; either party professing to adhere to the doctrine of the catholic church, which had been ever wiser than to determine the controversy. And yet that party here, which could least support themselves with reason, were very solicitous, according to the ingenuity they always practise to advance any of their pretences, to have the people believe, that they who held with Arminius did intend to introduce popery; and truly the other side was no less willing to have it thought, that all, who adhered to Calvin in those controversies, did in their hearts likewise adhere to him with reference to the discipline, and desired to change the government of the church, destroy the bishops, and so set up the discipline that he had established at Geneva; and so both sides found such reception generally with the people, as they were inclined to the persons; whereas, in truth, none of the one side were at all inclined to popery, and very many of the other were most affectionate to the peace and prosperity of the church, and very pious and learned men.

The archbishop had, all his life, eminently opposed Calvin's doctrine in those controversies, before the name of Arminius was taken notice of, or his opinions heard of; and thereupon, for want of another name, they had called him a papist, which nobody believed him to be, and he had more manifested the contrary in his disputations and writings, than most men had done; and it may be the other found the more severe and rigorous usage from him, for their propagating that calumny against him. He was a man of great courage and resolution, and being most assured within himself, that he proposed no end in all his actions or designs, than what was pious and just, (as sure no man had ever a heart more entire to the king, the church, or his country,) he never studied the best ways to those ends; he thought, it may be, that any art or industry that way would discredit, at least make the integrity of the end suspected, let the cause be what it will. He did court persons too little; nor cared to make his designs and purposes appear as candid as they were, by shewing them in any other dress than their own natural beauty and roughness; and did not consider enough what men said, or were like to say of him. If the faults and vices were fit to be looked into, and discovered, let the persons be who they would that were guilty of them, they were sure to find no connivance or favour from him. He intended the discipline of the church should be felt, as well as spoken of, and that it should be applied to the greatest and most splendid transgressors, as well as to the punishment of smaller offences, and meaner offenders; and thereupon called for or cherished the discovery of those who were not careful to cover their own iniquities, thinking they were above the reach of other men's, or their power or will to chastise. Persons of honour and great quality, of the court, and of the country, were every day cited into the high-commission court, upon the fame of their incontinence, or other scandal in their lives, and were there prosecuted to their shame and punishment: and as the shame (which they called an insolent triumph upon their degree and quality, and levelling them with the common people) was never forgotten, but watched

for revenge; so the fines imposed there were the more questioned, and repined against, because they were assigned to the rebuilding and repairing St. Paul's church; and thought therefore to be the more severely imposed, and the less compassionately reduced and excused; which likewise made the jurisdiction and rigour of the star-chamber more felt, and murmured against, which sharpened many men's humours against the bishops, before they had any ill intention towards the church.

There were three persons most notorious for their declared malice against the government of the church by bishops, in their several books and writings, which they had published to corrupt the people, with circumstances very scandalous, and in language very scurrilous, and impudent; which all men thought deserved very exemplary punishment: they were of three several professions which had the most influence upon the people, a divine, a common lawyer, and a doctor of physic; none of them of interest, or any esteem with the worthy part of their several professions, having been formerly all looked upon under characters of reproach: yet when they were all sentenced, and for the execution of that sentence brought out to be punished as common and signal rogues, exposed upon scaffolds to have their ears cut off, and their faces and foreheads branded with hot irons, (as the poorest and most mechanic malefactors used to be, when they were not able to redeem themselves by any fine for their trespasses, or to satisfy any damages for the scandals they had raised against the good name and reputation of others,) men began no more to consider their manners, but the men; and every profession, with anger and indignation enough, thought their education, and degrees, and quality, would have secured them from such infamous judgments, and treasured up wrath for the time to come.

The remissness of Abbot, and of other bishops by his example, had introduced, or at least connived at, a negligence, that gave great scandal to the church, and no doubt offended very many pious men. The people took so little care of the churches, and the parsons as little of the chancels, that, instead of beautifying or adorning them in any degree, they rarely provided for their stability and against the very falling of very many of their churches; and suffered them at least to be kept so indecently and slovenly, that they would not have endured it in the ordinary offices of their own houses; the rain and the wind to infest them, and the sacraments themselves to be administered where the people had most mind to receive them. [This profane liberty and uncleanness the archbishop resolved to reform with all expedition, requiring the other bishops to concur with him in so pious a work; and the work sure was very grateful to all men of devotion: yet, I know not how, the prosecution of it with too much affectation of expense, it may be, or with too much passion between the ministers and the parishioners, raised an evil spirit towards the church, which the enemies of it took much advantage of, as soon as they had opportunity to make the worst use of it.]

The removing the communion table out of the body of the church, where it had used to stand, and used to be applied to all uses, and fixing it to one place in the upper end of the chancel, which frequently made the buying a new table to be ne-

cessary; the inclosing it with a rail of joiner's work, and thereby fencing it from the approach of dogs, and all servile uses; the obliging all persons to come up to those rails to receive the sacrament, how acceptable soever to grave and intelligent persons, who loved order and decency, (for acceptable it was to such,) yet introduced first murmurings amongst the people, upon the very charge and expense of it; and if the minister were not a man of discretion and reputation to compose and reconcile those indispositions, (as too frequently he was not, and rather inflamed and increased the distemper,) it begat suits and appeals at law. The opinion that there was no necessity of doing any thing, and the complaint that there was too much done, brought the power and jurisdiction to impose the doing of it, to be called in question, contradicted, and opposed. Then the manner, and gesture, and posture, in the celebration of it, brought in new disputes, and administered new subjects of offence, according to the custom of the place, and humour of the people; and those disputes brought in new words and terms (altar, and adoration, and genuflexion, and other expressions) for the more perspicuous carrying on those disputations. New books were written for and against this new practice, with the same earnestness and contention for victory, as if the life of Christianity had been at stake. There was not an equal concurrence, in the prosecution of this matter, amongst the bishops themselves; some of them proceeding more remissly in it, and some not only neglecting to direct any thing to be done towards it, but restraining those who had a mind to it, from meddling in it. And this again produced as inconvenient disputes, when the subordinate clergy would take upon them, not only without the direction of, but expressly against the diocesan's injunctions, to make those alterations and reformati<sup>o</sup>ns themselves, and by their own authority.

The archbishop, guided purely by his zeal, and reverence for the place of God's service, and by the canons and injunctions of the church, with the custom observed in the king's chapel, and in most cathedral churches, without considering the long intermission and discontinuance in many other places, prosecuted this affair more passionately than was fit for the season; and had prejudice against those, who, out of fear or foresight, or not understanding the thing, had not the same warmth to promote it. The bishops who had been preferred by his favour, or hoped to be so, were at least as solicitous to bring it to pass in their several dioceses; and some of them with more passion and less circumspection, than they had his example for, or than he approved; prosecuting those who opposed them very fiercely, and sometimes unwarrantably, which was kept in remembrance. Whilst other bishops, not so many in number, or so valuable in weight, who had not been beholding to him, nor had hope of being so, were enough contented to give perfunctory orders for the doing it, and to see the execution of those orders not intended; and not the less pleased to find, that the prejudice of that whole transaction reflected solely upon the archbishop.

The bishop of Lincoln (Williams) who had been heretofore lord keeper of the great seal of England, and the most generally abominated whilst he had been so, was, since his disgrace at court, and prosecution from thence, become very popular; and

having faults enough to be ashamed of, the punishment whereof threatened him every day, he was very willing to change the scene, and to be brought upon the stage for opposing these innovations (as he called them) in religion. It was an unlucky word, and cozened very many honest men into apprehensions very prejudicial to the king and to the church. He published a discourse and treatise against the matter and manner of the prosecution of that matter; a book so full of good learning, and that learning so close and solidly applied, (though it abounded with too many light expressions,) that it gained him reputation enough to be able to do hurt; and shewed that, in his retirement, he had spent his time with his books very profitably. He used all the wit and all the malice he could, to awaken the people to a jealousy of these agitations and innovations in the exercise of religion; not without insinuations that it aimed at greater alterations, for which he knew the people would quickly find a name; and he was ambitious to have it believed that the archbishop was his greatest enemy, for his having constantly opposed his rising to any government in the church, as a man whose hot and hasty spirit he had long known.

Though there were other books written with good learning, and which sufficiently answered the bishop's book, and to men of equal and dispassionate inclinations fully vindicated the proceedings which had been, and were still, very fervently carried on; yet it was done by men whose names were not much revered by many men, and who were taken notice of, with great insolence and asperity to undertake the defence of all things which the people generally were displeased with, and who did not affect to be much cared for by those of their own order. So that from this unhappy subject, not in itself of that important value to be either entered upon with that resolution, or to be carried on with that passion, proceeded upon the matter a schism amongst the bishops themselves, and a world of uncharitableness in the learned and moderate clergy, towards one another: which, though it could not increase the malice, added very much to the ability and power of the enemies of the church to do it hurt, and added to the number of them. For without doubt, many who loved the established government of the church, and the exercise of religion as it was used, and desired not a change in either, nor did dislike the order and decency, which they saw mended, yet they liked not any novelties, and so were liable to entertain jealousies that more was intended than was hitherto proposed; especially when those infusions proceeded from men unsuspected to have any inclinations to change, and from known assertors of the government both in church and state. They did observe the inferior clergy took more upon them than they had used to do, and did not live towards their neighbours of quality, or their patrons themselves, with that civility and condescension they had used to do; which disposed them likewise to a withdrawing their good countenance and good neighbourhood from them.

The archbishop had not been long at Canterbury, when there was another great alteration in the court by the death of the earl of Portland, high treasurer of England; a man so jealous of the archbishop's credit with the king, that he always endeavoured to lessen it by all the arts and ways



he could; which he was so far from effecting, that, as it usually falls out, when passion and malice make accusation, by suggesting many particulars which the king knew to be untrue, or believed to be no faults, he rather confirmed his majesty's judgment of him, and prejudiced his own reputation. His death caused no grief in the archbishop; who was upon it made one of the commissioners of the treasury and revenue, which he had reason to be sorry for, because it engaged him in civil business and matters of state, in which he had little experience, and which he had hitherto avoided. But being obliged to it now by his trust, he entered upon it with his natural earnestness and warmth, making it his principal care to advance and improve the king's revenue by all the ways which were offered, and so hearkened to all informations and propositions of that kind; and having not had experience of that tribe of people who deal in that traffick; (a confident, senseless, and for the most part a naughty people,) he was sometimes misled by them to think better of some projects than they deserved: but when he was so entirely devoted to what would be beneficial to the king, that all propositions and designs, which were for the profit (only or principally) of particular persons how great soever, were opposed and crossed, and very often totally suppressed and stifled in their birth, by his power and authority; which created him enemies enough in the court, and many of ability to do mischief, who knew well how to recompense discourtesies, which they always called injuries.

And the revenue of too many of the court consisted principally in enclosures, and improvements of that nature, which he still opposed passionately, except they were founded upon law; and then, if it would bring profit to the king, how old and obsolete soever the law was, he thought he might justly advise the prosecution. And so he did a little too much countenance the commission for depopulation, which brought much charge and trouble upon the people, which was likewise cast upon his account.

He had observed, and knew it must be so, that the principal officers of the revenue, who governed the affairs of money, had always access to the king, and spent more time with him in private than any of his servants or counsellors, and had thereby frequent opportunities to do good or ill offices to many men; of which he had had experience, when the earl of Portland was treasurer, and the lord Cottington chancellor of the exchequer; neither of them being his friends; and the latter still enjoying that place, and having his former access, and so continuing a joint commissioner of the treasury with him, and understanding that province much better, he still opposed, and commonly carried every thing against him: so that he was weary of the toil and vexation of that business; as all other men were, and still are of the delays which are in all dispatches, whilst that office is executed by commission.

The treasurer's is the greatest office of benefit in the kingdom, and the chief in precedence next the archbishop's, and the great seal: so that the eyes of all men were at gaze who should have this great office; and the greatest of the nobility, who were in the chiefest employments, looked upon it as the prize of one of them; such offices commonly making way for more removes and preferments: when on a sudden the staff was put into the hands

of the bishop of London, a man so unknown, that his name was scarce heard of in the kingdom, who had been within two years before but a private chaplain to the king, and the president of a poor college in Oxford. This inflamed more men than were angry before, and no doubt did not only sharpen the edge of envy and malice against the archbishop, (who was the known architect of this new fabric,) but most unjustly indisposed many towards the church itself; which they looked upon as the gulph ready to swallow all the great offices, there being others in view, of that robe, who were ambitious enough to expect the rest.

In the mean time the archbishop himself was infinitely pleased with what was done, and unhappily believed he had provided a stronger support for the church; and never abated any thing of his severity and rigour towards men of all conditions, or in the sharpness of his language and expressions, which was so natural to him, that he could not debate any thing without some commotion, when the argument was not of moment, nor bear contradiction in debate, even in the council, where all men are equally free, with that patience and temper that was necessary; of which they who wished him not well took many advantages, and would therefore contradict him, that he might be transported with some indecent passion; which, upon a short recollection, he was always sorry for, and most readily and heartily would make acknowledgment. No man so willingly made unkind use of all those occasions, as the lord Cottington, who being a master of temper, and of the most profound dissimulation, knew too well how to lead him into a mistake, and then drive him into choler, and then expose him upon the matter, and the manner, to the judgment of the company; and he chose to do this most when the king was present; and then he would dine with him the next day.

The king, who was excessively affected to hunting and the sports of the field, had a great desire to make a great park for red as well as fallow deer, between Richmond and Hampton court, where he had large wastes of his own, and great parcels of wood, which made it very fit for the use he designed it to: but as some parishes had common in those wastes, so many gentlemen and farmers had good houses and good farms intermingled with those wastes of their own inheritance, or for their lives, or years; and without taking in of them into the park, it would not be of the largeness or for the use proposed. His majesty desired to purchase those lands, and was very willing to buy them upon higher terms than the people could sell them at to any body else, if they had occasion to part with them; and thought it no unreasonable thing, upon those terms, to expect from his subjects; and so he employed his own surveyor, and other of his officers, to treat with the owners, many whereof were his own tenants, whose terms would at last expire.

The major part of the people were in a short time prevailed with, but many very obstinately refused; and a gentleman, who had the best estate, with a convenient house and gardens, would by no means part with it; and the king being as earnest to compass it, it made a great noise, as if the king would take away men's estates at his own pleasure. The bishop of London, who was treasurer, and the lord Cottington, chancellor of the exchequer, were, from the first entering upon it, very averse

from the design, not only for the murmur of the people, but because the purchase of the land, and the making a brick-wall about so large a parcel of ground, (for it is not less than ten or twelve miles about,) would cost a greater sum of money than they could easily provide, or than they thought ought to be sacrificed to such an occasion; and the lord Cottington (who was more solicited by the country people, and heard most of their murmurs) took the business most to heart, and endeavoured by all the ways he could, and by frequent importunities, to divert his majesty from pursuing it, and put all delays he could well do in the bargains which were to be made; till the king grew very angry with him, and told him, "he was resolved to go through with it, and had already caused brick to be burned, and much of the wall to be built upon his own land;" upon which Cottington thought fit to acquiesce.

The building the wall before people consented to part with their land, or their common, looked to them as if by degrees they should be shut out from both, and increased the murmur and noise of the people who were not concerned, as well as of them who were: and it was too near London not to be the common discourse; and the archbishop (who desired exceedingly that the king should be possessed as much of the hearts of the people as was possible, at least that they should have no just cause to complain) meeting with it, resolved to speak with the king of it; which he did, and received such an answer from him, that he thought his majesty rather not informed enough of the inconveniences and mischiefs of the thing, than positively resolved not to desist from it. Whereupon one day he took the lord Cottington aside, being informed that he disliked it, and, according to his natural custom, spake with great warmth against it,) and told him, "he should do very well to give the king good counsel, and to withdraw him from a resolution, in which his honour and his justice was so much called in question." Cottington answered him very gravely, "that the thing designed was very lawful, and he thought the king resolved very well, and since the place lay so conveniently for his winter exercise, and that he should by it not be compelled to make so long journeys as he used to do, in that season of the year, for his sport, and that nobody ought to dissuade him from it."

The archbishop, instead of finding a concurrence from him, as he expected, seeing himself reproached upon the matter for his opinion, grew into much passion, telling him, "such men as he would ruin the king, and make him lose the affections of his subjects; that for his own part, as he had begun, so he would go on to dissuade the king from proceeding in so ill a counsel, and that he hoped it would appear who had been his counsellor." Cottington, glad to see him so soon hot, and resolved to inflame him more, very calmly

replied to him, "that he thought a man could not with a good conscience, hinder the king from pursuing his resolutions, and that it could not but proceed from want of affection to his person, and he was not sure that it might not be high treason." The other, upon the wildness of his discourse, in great anger asked him, "Why? from whence he had received that doctrine?" He said, with the same temper, "They, who did not wish the king's health, could not love him; and they, who went about to hinder his taking recreation, which preserved his health, might be thought, for aught he knew, guilty of the highest crimes." Upon which the archbishop in great rage, and with many reproaches, left him, and either presently, or upon the next opportunity, told the king, "that he now knew who was his great counsellor for making his park, and that he did not wonder that men durst not represent any arguments to the contrary, or let his majesty know how much he suffered in it, when such principles in divinity and law were laid down to terrify them;" and so recounted to him the conference he had with the lord Cottington, bitterly inveighing against him and his doctrine, mentioning him with all the sharp reproaches imaginable, and beseeching his majesty, "that his counsel might not prevail with him," taking some pains to make his conclusions appear very false and ridiculous.

The king said no more, but, "My lord, you are deceived; Cottington is too hard for you: upon my word, he hath not only dissuaded me more, and given more reasons against this business, than all the men in England have done, but hath really obstructed the work by not doing his duty, as I commanded him, for which I have been very much displeased with him: you see how unjustly your passion hath transported you." By which reprehension he found how much he had been abused, and resented it accordingly.

Whatsoever was the cause of it, this excellent man, who stood not upon the advantage ground before, from the time of his promotion to the archbishopric, or rather from that of his being commissioner of the treasury, exceedingly provoked, or underwent the envy, and reproach, and malice of men of all qualities and conditions; who agreed in nothing else: all which, though well enough known to him, were not enough considered by him, who believed, the government to be so firmly settled, that it could neither be shaken from within nor without, as most men did, and that less than a general confusion of law and gospel could not hurt him; which was true too: but he did not foresee how easily that confusion might be brought to pass, as it proved shortly to be. And with this general observation, of the outward visible prosperity, and the inward reserved disposition of the people to murmur and unquietness, we conclude this first book.

THE

# HISTORY OF THE REBELLION, &c.

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## BOOK II.

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IT was towards the end of the year 1633, when the king returned from Scotland, having left it to the care of some of the bishops there to provide such a liturgy, and such a book of canons, as might best suit the nature and humour of the better sort of that people; to which the rest would easily submit: and that, as fast as they made them ready, they should transmit them to the archbishop of Canterbury, to whose assistance the king joined the bishop of London, and doctor Wren, who, by that time, was become bishop of Norwich; a man of a severe, sour nature, but very learned, and particularly versed in the old liturgies of the Greek and Latin churches. And after his majesty should be this way certified of what was so sent, he would recommend and enjoin the practice and use of both to that his native kingdom. The bishops there had somewhat to do, before they went about the preparing the canons and the liturgy; what had passed at the king's being there in parliament had left bitter inclinations and unruly spirits in many of the most popular nobility; who watched only for an opportunity to inflame the people, and were well enough contented to see combustible matter every day gathered together to contribute to that fire.

The promoting so many bishops to be of the privy-council, and to sit in the courts of justice, seemed at first wonderfully to facilitate all that was in design, and to create an affection and reverence towards the church, at least an application to and dependence upon the greatest churchmen. So that there seemed to be not only a good preparation made with the people, but a general expectation, and even a desire that they might have a liturgy, and more decency observed in the church. And this temper was believed to be the more universal, because neither from any of the nobility, nor of the clergy, who were thought most averse from it, there appeared any sign of contradiction, nor that license of language against it, as was natural to that nation; but an entire acquiescence in all the bishops thought fit to do; which was interpreted to proceed from a conversion in their judgment, at least to a submission to the authority: whereas in truth, it appeared afterwards to be from the observation they made from the temper and indiscretion of those bishops in the greatest authority, that they were like to have more advantages administered to them by their ill managery, than they could raise by any contrivance of their own.

It was full two years, or very near so much, before the bishops in Scotland had prepared any thing to offer to the king towards their intended reformation; and then they inverted the proper method, and first presented a body of canons to precede the liturgy, which was not yet ready, they choosing to finish the shorter work first. The king referred the consideration of the canons, as he had before resolved to do, to the archbishop, and the other two bishops formerly named, the bishop of London, and the bishop of Norwich; who, after their perusal of them, and some alterations made with the consent of those bishops who brought them from Scotland, returned them to the king; and his majesty, impatient to see the good work entered upon without any other ceremony, (after having given his royal approbation,) issued out his proclamation for the due observation of them within his kingdom of Scotland.

It was a fatal inadvertency, that neither before nor after these canons were sent to the king they were never seen by the assembly, or any convocation of the clergy, which was so strictly obliged to the observation of them; nor so much as communicated to the lords of the council of that kingdom; it being almost impossible that any new discipline could be introduced into the church, which would not much concern the government of the state, and even trench upon or refer to the municipal laws of the kingdom. And, in this consideration, the archbishop of Canterbury had always declared to the bishops of Scotland, "that it was their part to be sure, that nothing they should propose to the king in the business of the church, should be contrary to the laws of the land, which he could not be thought to understand; and that they should never put any thing in execution, without the consent and approbation of the privy-council." But it was the unhappy craft of those bishops to get it believed by the king, that the work would be grateful to the most considerable of the nobility, the clergy, and the people, (which they could hardly believe,) in order to the obtaining his majesty's approbation and authority for the execution of that, which they did really believe would not find opposition from the nobility, clergy, or people, against his majesty's express power and will, which without doubt was then in great veneration in that kingdom; and so they did not in truth dare to submit those canons to any other examination, than what the king should direct in England.

It was, in the next place, as strange, that those canons should be published before the liturgy was prepared, (which was not ready in a year after, or thereabouts,) when three or four of the canons were principally for the observation and punctual compliance with the liturgy; which all the clergy were to be sworn to submit to, and to pay all obedience to what was enjoined by it, before they knew what it contained. Whereas, if the liturgy had been first published with all due circumstances, it is possible that it might have found a better reception, and the canons less examined.

The Scotch nation, how capable soever it was of being led by some great men, and misled by the clergy, would have been corrupted by neither into a barefaced rebellion against their king, whose person they loved, and revered his government; nor could they have been wrought upon towards the lessening the one, or the other, by any other suggestions or infusions, than such as should make them jealous or apprehensive of a design to introduce popery; their whole religion consisting in an entire detestation of popery, in believing the pope to be Antichrist, and hating perfectly the persons of all papists; and I doubt all others, who did not hate them.

The canons now published, besides (as hath been touched before) that they had passed no approbation of the clergy, or been communicated to the council, appeared to be so many new laws imposed upon the whole kingdom by the king's sole authority, and contrived by a few private men, of whom they had no good opinion, and who were strangers to the nation; so that it was no other than a subjection to England, by receiving laws from thence, of which they were most jealous, and which they most passionately abhorred. Then they were so far from being confined to the church, and the matters of religion, that they believed there was no part of their civil government uninvaded by them, and no persons of what quality soever unconcerned, and, as they thought, unhurt in them. And there were some things in some particular canons, how rational soever in themselves, and how distant soever in the words and expressions from inclining to popery, which yet gave too much advantage to those who maliciously watched the occasion to persuade weak men, that it was an approach and introduction to that religion, the very imagination whereof intoxicated all men, and deprived them of all faculties to examine and judge.

The first canon defined and determined such an unlimited "power and prerogative to be in the king, according to the pattern" (in express terms) "of the kings of Israel, and such a full supremacy in all causes ecclesiastical, as hath never been pretended to by their former kings, or submitted to by the clergy and laity of that nation;" and which made impression upon men of all tempers, humours, and inclinations. "That no ecclesiastical person should become surety, or bound for any man; that national or general assemblies should be called only by the king's authority; that all bishops, and other ecclesiastical persons, who die without children, should be obliged to give a good part of their estates to the church, and, though they should have children, yet to leave somewhat to the church, and for advancement of learning;" which seemed rather to be matter of state, and

policy, than of religion; thwarted their laws and customs, which had been observed by them; lessened, if not took away the credit of churchmen; and prohibited them from that liberty of commerce in civil affairs, which the laws permitted to them; and reflected upon the interests of those who had, or might have, a right to inherit from clergymen. "That none should receive the sacrament but upon their knees; that the clergy should have no private meetings for expounding scripture, or for consulting upon matters ecclesiastical; that no man should cover his head in the time of divine service; and that no clergyman should conceive prayers *ex tempore*, but be bound to pray only by the form prescribed in the liturgy," (which, by the way, was not seen nor framed,) "and that no man should teach a public school, or in a private house, without a license first obtained from the archbishop of the province, or the bishop of the diocese."

All these were new, and things with which they had not been acquainted; and though they were all to be commended to a regular and orderly people, piously disposed, yet it was too strong meat for infants in discipline, and too much nourishment to be administered at once to weak and queasy stomachs, too much inclined to nauseate what was most wholesome. But then, to apply the old terms of the church, to mention "the *quatuor tempora*, and restrain all ordinations to those four seasons of the year; to enjoin a font to be prepared in every church for baptism, and a decent table for the communion; and to direct and appoint the places where both font and table should stand, and decent ornaments for either; to restrain any excommunication from being pronounced, or absolution from being given, without the approbation of the bishop; to mention any practice of confession," (which they looked upon as the strongest and most inseparable limb of Antichrist,) and to enjoin, "that no presbyter should reveal any thing he should receive in confession, except in such cases, where, by the law of the land, his own life should be forfeited;" were all such matters of innovation, and in their nature so suspicious, that they thought they had reason to be jealous of the worst that could follow; and the last canon of all provided, "that no person should be received in holy orders, or suffered to preach or administer the sacraments, without first subscribing to these canons."

It was now easy for them who had those inclinations, to suggest to men of all conditions, that here was an entire new model of government in church and state; the king might do what he would upon them all, and the church was nothing but what the bishops would have it be: which they every day infused into the minds of the people, with all the art and artifices which administer jealousies of all kinds to those who were liable to be disquieted with them: yet they would not suffer (which shewed wonderful power and wonderful dexterity) any disorder to break out upon all this occasion, but all was quiet, except spreading of libels against the bishops, and propagating that spirit as much as they could, by their correspondence in England; where they found too many every day transported by the same infusions, in expectation that these seeds of jealousy from the canons would grow apace, and produce a proper reception for the liturgy.

It was about the month of July, in the year 1637, that the liturgy (after it had been sent out of Scotland, and perused by the three bishops in England, and then approved and confirmed by the king) was published, and appointed to be read in all the churches. And in this particular there was the same affected and premeditated omission, as had been in the preparation and publication of the canons; the clergy not at all consulted in it, and, which was more strange, not all the bishops acquainted with it; which was less censured afterwards, when some of them renounced their function, and became ordinary presbyters, as soon as they saw the current of the time. The privy-council had no other notice of it, than all the kingdom had, the Sunday before, when it was declared, "that the next Sunday the liturgy should be read;" by which they were the less concerned to foresee or prevent any obstructions which might happen.

The proclamation had appointed it to be read the Easter before; but the earl of Traquair, high treasurer of Scotland, (who was the only counsellor or layman relied upon by the archbishop of Canterbury in that business,) persuaded the king to defer it till July, that some good preparation might be made for the more cheerful reception of it. And as this pause gave the discontented party more heart, and more time for their seditious negotiations, so the ill consequences of it, or the actions which were subsequent to it, made him suspected to be privy to all the conspiracy, and in truth to be an enemy to the church; though, in truth, there neither appeared then, nor in all the very unfortunate part of his life afterwards, any just ground for that accusation and suspicion: but as he was exceedingly obliged to the archbishop, so he was a man of great parts, and well affected to the work in hand in his own judgment; and if he had been as much depended upon, to have advised the bishops in the prosecution and for the conduct of it, as he was to assist them in the carrying on whatsoever they proposed, it is very probable, that either so much would not have been undertaken together, or that it would have succeeded better; for he was without doubt not inferior to any of that nation in wisdom and dexterity. And though he was often provoked, by the insolence and petulance of some of the bishops, to a dislike of their overmuch fervour, and too little discretion, his integrity to the king was without blemish, and his affection to the church so notorious, that he never deserted it, till both it and he were overrun, and trod under foot; and they who were the most notorious persecutors of it never left persecuting him to the death.

Nor was any thing done which he had proposed, for the better adjusting things in that time of that suspension, but every thing left in the same state of unconcernedness as it had been before; not so much as the council being better informed of it; as if they had been sure that all men would have submitted to it for conscience sake.

On the Sunday morning appointed for the work, the chancellor of Scotland and others of the council being present in the cathedral church, the dean began to read the liturgy, which he had no sooner entered upon, but a noise and clamour was raised throughout the church, that no voice could be heard distinctly, and then a shower of stones, and

sticks, and cudgels were thrown at the dean's head. The bishop went up into the pulpit, and from thence put them in mind of the sacredness of the place, of their duty to God and the king; but he found no more reverence, nor was the clamour or disorder less than before. The chancellor, from his seat, commanded the provost and magistrates of the city to descend from the gallery in which they sat, and by their authority to suppress the riot; which at last with great difficulty they did, by driving the rudest of those who made the disturbance out of the church, and shutting the doors, which gave the dean occasion to proceed in the reading of the liturgy, which was not at all attended or hearkened to by those who remained within the church; and if it had, they who were turned out continued their barbarous noise, broke the windows, and endeavoured to break down the doors; so that it was not possible for any to follow their devotions.

When all was done that at that time could be done there, and the council and magistrates went out of the church to their houses, the rabble followed the bishops with all the opprobrious language they could invent, of bringing in superstition and popery into the kingdom, and making the people slaves; and were not content to use their tongues, but employed their hands too in throwing dirt and stones at them; and treated the bishop of Edinburgh, whom they looked upon as most active that day, so rudely, that with difficulty he got into a house, after they had torn his habit, and was from thence removed to his own, with great hazard of his life. As this was the reception it had in the cathedral, so it fared not better in the other churches of the city, but was entertained with the same hollowing and outcries, and threatening the men, whose office it was to read it, with the same bitter execrations against bishops and popery.

Hitherto no person of condition or name appeared, or seemed to countenance this seditious confusion; it was the rabble, of which nobody was named, and, which is more strange, not one apprehended: and it seems the bishops thought it not of moment enough to desire or require any help or protection from the council; but without conferring with them, or applying themselves to them, they dispatched away an express to the king, with a full and particular information of all that had passed, and a desire that he would take that course he thought best for the carrying on his service.

Until this advertisement arrived from Scotland, there were very few in England who had heard of any disorders there, or of any thing done there, which might produce any. The king himself had been always so jealous of the privileges of that his native kingdom, (as hath been touched before,) and that it might not be dishonoured by a suspicion of having any dependence upon England, that he never suffered any thing relating to that to be debated, or so much as communicated to his privy-council in this, (though many of that nation were, without distinction, counsellors of England,) but handled all those affairs himself with two or three Scotsmen, who always attended in the court for the business of that kingdom, which was upon the matter still dispatched by the sole advice and direction of the marquis of Hamilton.

And the truth is, there was so little curiosity

either in the court, or the country, to know any thing of Scotland, or what was done there, that when the whole nation was solicitous to know what passed weekly in Germany and Poland, and all other parts of Europe, no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention in one page of any gazette, so little the world heard or thought of that people; and even after the advertisement of this preamble to rebellion, no mention was made of it at the council-board, but such a dispatch made into Scotland upon it, as expressed the king's dislike and displeasure, and obliged the lords of the council there to appear more vigorously in the vindication of his authority, and suppression of those tumults. But all was too little. That people, after they had once begun, pursued the business vigorously, and with all imaginable contempt of the government; and though in the hubbub of the first day there appeared nobody of name or reckoning, but the actors were really of the dregs of the people; yet they discovered by the countenance of that day, that few men of rank were forward to engage themselves in the quarrel on the behalf of the bishops; whereupon more considerable persons every day appeared against them, and (as heretofore in the case of St. Paul, Acts xiii. 50, *the Jews stirred up the devout and honourable women*) the women and ladies of the best quality declared themselves of the party, and, with all the reproaches imaginable, made war upon the bishops, as introducers of popery and superstition, against which they avowed themselves to be irreconcilable enemies: and their husbands did not long defer the owning the same spirit; inasmuch as within few days the bishops durst not appear in the streets, nor in any courts or houses, but were in danger of their lives; and such of the lords as durst be in their company, or seemed to desire to rescue them from violence, had their coaches torn in pieces, and their persons assaulted, inasmuch as they were glad to send for some of those great men, who did indeed govern the rabble, though they appeared not in it, who readily came and redeemed them out of their hands: so that by the time new orders came from England, there was scarce a bishop left in Edinburgh, and not a minister who durst read the liturgy in any church.

All the kingdom flocked to Edinburgh, as in a general cause that concerned their salvation, and resolved themselves into a method of government, erected several tables, in which deputies sat for the nobility, the gentlemen, the clergy, and the burghesses; out of either of which tables a council was elected to conduct their affairs, and a petition drawn up in the names of the nobility, lairds, clergy, and burghesses, to the king, complaining of the introduction of popery, and many other grievances. And if the lords of the council issued out any order against them, or if the king himself sent a proclamation for their repair to their houses, and for the preservation of the peace, presently some nobleman deputed by the tables published a protestation against those orders and proclamations, with the same confidence, and with as much formality, as if the government were regularly in their hands.

They called a general assembly, whither they summoned the bishops to appear before them, and for not appearing, excommunicated them; and

then they united themselves by subscribing a covenant, which they pretended, with their usual confidence, to be no other than had been subscribed in the reign of king James, and that his majesty himself had subscribed it; by which imposition people of all degrees, supposing it might be a means to extinguish the present fire, with all alacrity engaged themselves in it; whereas in truth, they had inserted a clause never heard of, and quite contrary to the end of that covenant, whereby they obliged themselves to pursue the extirpation of bishops, and had the impudence to demand the same in express terms of the king, in answer to a very gracious message the king had sent to them. They published bitter invectives against the bishops and the whole government of the church, which they were not contented to send only into England to kindle the same fire there, but, with their letters, sent them to all the reformed churches, by which they raised so great a prejudice to the king, that too many of them believed, that the king had a real design to change religion, and to introduce popery.

It is very true, there were very many of the nobility, and persons of principal quality of that nation, and in Edinburgh at that time, who did not appear yet, and concur in this seditious behaviour, or own their being yet of their party; but on the contrary seemed very much to dislike their proceedings: but it is as true, that very few had the courage to do any thing in opposition to them, or to concur in the prosecution of any regal act against them; and did in some respects more advance their designs, than if they had manifestly joined with them. For these men, many of whom were of the council, by all their letters into England, exceedingly undervalued the disorder, as being "very easy to be suppressed in a short time, when the people's eyes should be opened; and that the removing the courts to some other place, and a gracious condescension in the king in offering pardon for what was past, would suddenly subdue them, and every body would return to his duty:" and the city of Edinburgh itself writ an humble letter to the archbishop of Canterbury, excusing the disorders which had been raised by the ignorance and rudeness of the meanest of the people, besought him "to intercede with his majesty for the suspension of his prejudice to them, till they should manifest their duty to him, by inflicting exemplary punishment upon the chief offenders, and causing the liturgy to be received and submitted to in all their churches;" which they professed they would in a short time bring to pass. So that by this means, and the interposition of all those of that nation who attended upon his majesty in his bedchamber, and in several offices at court, who all undertook to know by their intelligences that all was quiet, or would speedily be so; his majesty (who well knew that they who appeared most active in this confederacy were much inferior to those who did not appear, and who professed great zeal for his service) hardly prevailed with himself to believe that he could receive any disturbance from thence, till he found all his condescensions had raised their insolence, all his offers rejected, and his proclamation of pardon slighted and contemned; and that they were listing men towards the raising an army, under the obligation of their

covenant, and had already chosen colonel Lesley, a soldier of that nation of long experience and eminent command under the king of Sweden in Germany, to be their general; who being lately disobliged (as they called it) by the king, that is, denied somewhat he had a mind to have, which to that people was always the highest injury, had accepted of the command. Then at last the king thought it time to resort to other counsels, and to provide force to chastise them, who had so much despised all the gentler remedies.

He could now no longer defer the acquainting his council-board, and the whole kingdom of England, with the indignities he had sustained in Scotland; which he did by proclamations and declarations at large, setting out the whole proceedings which had been; and in the end of the year 1638 declared his resolution to raise an army to suppress their rebellion, for which he gave present order.

And this was the first alarm England received towards any trouble, after it had enjoyed for so many years the most uninterrupted prosperity, in a full and plentiful peace, that any nation could be blessed with: and as there was no apprehension of trouble from within, so it was secured from without by a stronger fleet at sea than the nation had ever been acquainted with, which drew reverence from all the neighbour princes. The revenue had been so well improved, and so warily managed, that there was money in the exchequer proportionable for the undertaking any noble enterprise: nor did this first noise of war and approach towards action seem to make any impression upon the minds of men, the Scots being in no degree either loved or feared by the people; and most men hoped, that this would free the court from being henceforth troubled with those vermin; and so seemed to embrace the occasion with notable alacrity: and there is no doubt, but if that whole nation had been entirely united in the rebellion, and all who stayed in the court had marched in their army, and publicly owned the covenant, which in their hearts they adored, neither king nor kingdom could have sustained any damage by them; but the monument of their presumption and their shame would have been raised together, and no other memory preserved of their rebellion but in their memorable and infamous defeat.

God Almighty would not suffer this discerning spirit of wisdom to govern at this time: the king thought it unjust to condemn a nation for the transgression of a part of it, and still hoped to redeem it from the infamy of a general defection, by the exemplary fidelity of a superior party, and therefore withdrew not his confidence from any of those who attended his person, and who, in truth, lay leiger for the covenant, and kept up the spirits of their countrymen by their intelligence.

The king hastened the raising an army, which was not long in doing. He chose to make the earl of Arundel his general, a man who had nothing martial about him but his presence and his looks, and therefore was thought to be made choice of for his negative qualities: he did not love the Scots; he did not love the puritans; which good qualifications were allayed by another negative, he did love nobody else: but he was fit to keep the state of it; and his rank was such, that no man would decline the serving under him.

The earl of Essex was made lieutenant-general

of the army, the most popular man of the kingdom, and the darling of the sword-men; who, between a hatred and a contempt of the Scots, had nothing like an affection for any one man of the nation; and therefore was so well pleased with his promotion, that he begun to love the king the better for conferring it upon him, and entered upon the province with great fidelity and alacrity, and was capable from that hour of any impression the king would have fixed upon him.

The earl of Holland was general of the horse; who, besides the obligations he had to the queen, (who vouchsafed to own a particular trust in him,) was not liable to the least suspicion of want of affection and zeal for the king's service.

In the beginning of the spring, which was in the year 1639, an army was drawn together of near six thousand horse, and about that number in foot, all very well disciplined men, under as good and experienced officers, as were to be found in any army in Christendom. And with this army, abundantly supplied with a train of artillery, and all other provisions necessary, the king advanced in the beginning of the summer towards the borders of Scotland.

This was not all the strength that was provided for the suppressing that rebellion, but the king had likewise provided a good fleet for the sea, and had caused a body of three thousand foot to be embarked on those ships; all which were put under the command of the marquis of Hamilton, who was to infect his country by sea to hinder their trade, and to make a descent upon the land, and join with such forces as the loyal party of that nation should draw together to assist the king's, which his own interest (as was believed) would give great life to, his family being numerous in the nobility, and united in an entire dependence upon him.

Upon the first march of the army northwards, the earl of Essex was sent with a party of horse and foot, to use all possible expedition to possess himself of Berwick, which the king had been advertised the Scots would speedily be masters of. The earl lost no time, but marched day and night with great order and diligence; and every day met several Scotsmen of quality well known to him, and sent expressly to the king, all who severally made him very particular relations of the strength of the Scots army, the excellent discipline that was observed in it, the goodness of the men, and that they were by that time possessed of Berwick; and when he was within one day's march of it, a person of principal condition, of very near relation to the king's service, (who pretended to be sent upon matter of high importance to his majesty from those who most intended his service there,) met him, and advised him very earnestly "not to advance farther with his party, which was so much inferior in number to those of the enemy, that it would infallibly be cut off: that himself overtook the day before a strong party of the army, consisting of three thousand horse and foot, with a train of artillery, all which he left at such a place," (which he named,) "within three hours' march of Berwick, where they resolved to be the night before, so that his proceeding farther must be fruitless, and expose him to inevitable ruin." These advertisements wrought no otherwise upon the earl, than to hasten his marches, inasmuch that he came to Berwick sooner than he proposed to have done, entered the place without the least opposition, and by all



the inquiry he could make by sending out parties, and other advertisements, he could not discover that any of the enemies' forces had been drawn that way, nor indeed that they had any considerable forces together nearer than Edinburgh.

The earl being thus possessed of his post, lost no time in advertising the king of it, and sent him a very particular account of the informations he had received from so many ear and eyewitnesses, who were all at that time in the court, and very fit to be suspected after the publishing of so many falsehoods; and the men had been constant in the same reports, and as confident in reporting the defeat of the earl of Essex, and cutting off his party, as they had been to himself of the Scots' march, and their being masters of Berwick. The joy was not concealed with which his majesty received the news of the earl's being in Berwick, the contrary whereof these men made him apprehend with much perplexity; but they underwent no other reproach for their intelligence, than that their fears had multiplied their sight, and that they had been frightened with other men's relations; which remissness, to call it no worse, was an ill omen of the discipline that was like to be observed.

If the war had been now vigorously pursued, it had been as soon ended as begun; for at this time they had not drawn three thousand men together in the whole kingdom of Scotland, nor had in truth arms complete for such a number, though they had the possession of all the king's forts and magazines, nor had they ammunition to supply their few fire-arms; horses they had, and officers they had, which made all their show. But it was the fatal misfortune of the king, which proceeded from the excellency of his nature, and his tenderness of blood, that he deferred so long his resolution of using his arms; and after he had taken that resolution, that it was not prosecuted with more vigour.

He more intended the pomp of his preparations than the strength of them, and did still believe, that the one would save the labour of the other. At the same time that he resolved to raise an army, he caused inquiry to be made, what obligations lay upon his subjects to assist him, both as he went himself in person, and as it was an expedition against the Scots; which, in the ancient enmity between the two nations, had been provided for by some laws, and in the tenure which many men held their estates by. He found that the kings had usually, when they went to make war in their own persons, called as many of the nobility to attend upon them, as they thought fit.

And thereupon he summoned most of the nobility of the kingdom, without any consideration of their affections how they stood disposed to that service, to attend upon him by a day appointed, and throughout that expedition; presuming, that the glory of such a visible appearance of the whole nobility would look like such an union in the quarrel, as would at once terrify and reduce the Scots; not considering, that such kind of unitings do naturally produce the greatest confusions, when more and greater men are called together than can be united in affections or interests; and in the necessary differences which arise from thence, they quickly come to know each other so well, as they easily unite in several divisions, though never in any one public interest; and from hence the most dangerous factions have always arose, which have threatened and ruined the peace of nations: and it fell out no better here. If there

had been none in the march but soldiers, it is most probable that a noble peace would have quickly ensued, even without fighting: but the progress was more illustrious than the march, and the soldiers were the least part of the army, and least consulted with.

In this pomp the king continued his journey to York, where he had a full court, those noblemen of the northern parts, and many others who overtook not the king till then, joining all in that city; where his majesty found it necessary to stay some days; and there the fruit, that was to be gathered from such a conflux, quickly budded out. Some rules were to be set down for the government of the army; and the court was too numerous to be wholly left to its own license; and the multitude of the Scots in it administered matter of offence and jealousy to people of all conditions, who had too much cause to fear that the king was every day betrayed; the common discourse by all the Scots being either magnifying the good intentions of their countrymen, and that they had all duty for the king, or undervaluing the power and interest of those who discovered themselves against the church.

It was therefore thought fit by the whole body of the council, that a short protestation should be drawn, in which all men should "profess their loyalty and obedience to his majesty, and disclaim and renounce the having any intelligence, or holding any correspondence with the rebels." No man imagined it possible that any of the English would refuse to make that protestation; and they who thought worst of the Scots did not think they would make any scruple of doing the same, and consequently that there would be no fruit or discovery from that test; but they were deceived. The Scots indeed took it to a man, without grieving their conscience, or reforming their manners. But amongst the English nobility the lord Say, and the lord Brook, (two popular men, and most undevoted to the church, and, in truth, to the whole government,) positively refused, in the king's own presence, to make any such protestation. They said, "If the king suspected their loyalty, he might proceed against them as he thought fit; but that it was against the law to impose any oath or protestation upon them which were not enjoined by the law; and, in that respect, that they might not betray the common liberty, they would not submit to it." This administered matter of new dispute in a very unseasonable time; and though there did not then appear more of the same mind, and they two were committed, at least restrained of their liberty; yet this discovered too much the humour and spirit of the court in their daily discourses upon that subject; so that the king thought it best to dismiss those two lords, and require them to return to their houses: and if all the rest who were not officers of the army, or of absolute necessity about the king's person, had been likewise dismissed and sent home, the business had been better prosecuted.

Indeed, if the king himself had stayed at London, or, which had been the next best, kept his court and resided at York, and sent the army on their proper errand, and left the matter of the war wholly to them, in all human reason, his enemies had been speedily subdued, and that kingdom reduced to their obedience, which it would not have been easy for them to have shaken off.



Before the king left York, letters and addresses were sent from the Scots, "lamenting their ill fortune, that their enemies had so great credit with the king, as to persuade him to believe, that they were or could be disobedient to him, a thing that could never enter into their loyal hearts; that they desired nothing but to be admitted into the presence of their gracious sovereign, to lay their grievances at his royal feet, and leave the determination of them entirely to his own wisdom and pleasure." And though the humility of the style gained them many friends, who thought it great pity that any blood should be spilt in a contention which his majesty might put an end to by his own word, as soon as he would hear their complaints; yet hitherto the king preserved himself from being wrought upon, and marched with convenient expedition to the very borders of Scotland, and encamped with his army in an open field, called *the Berkes*, on the further side of Berwick, and lodged in his tent with the army, though every day's march wrought very much upon the constitution if not the courage of the court, and too many wished aloud, "that the business were brought to a fair treaty."

Upon advertisement that a party of the Scots army was upon their march, the earl of Holland was sent with a body of three thousand horse, and two thousand foot, with a fit train of artillery, to meet it, and engage with it; who marched accordingly into Scotland early in a morning as far as a place called Dunce, ten or twelve miles into that kingdom. It was in the beginning of August, when the nights are very short, and, as soon as the sun rises, the days for the most part hotter than is reasonably expected from the climate, and by the testimony of all men that day was the hottest that had been known. When the earl came with his horse to Dunce, he found the Scots drawn up on the side of a hill, where the front could only be in view, and where, he was informed, the general Lesley and the whole army was; and it was very true, they where all there indeed; but it was as true, that all did not exceed the number of three thousand men, very ill armed, and most country fellows, who were on the sudden got together to make that show: and Lesley had placed them by the advantage of that hill so speciously, that they had the appearance of a good body of men, there being all the semblance of great bodies behind on the other side of the hill; the falsehood of which would have been manifest as soon as they should move from the place where they were, and from whence they were therefore not to stir.

The horse had outmarched the foot, which, by reason of the excessive heat, was not able to use great expedition: besides, there was some error in the orders, and some accidents of the night that had retarded them; so that when the enemy appeared first in view, the foot and the artillery was three or four miles behind.

Nothing can be said in the excuse of the counsel of that day, which might have made the king a glorious king indeed. The earl of Holland was a man of courage, and at that time not at all suspected to be corrupted in his affections; and though himself had not seen more of the war than two or three campaigns in Holland before his coming to the court, he had with him many as good officers as the war of that age, which was very active, had made, and men of unquestionable

courage and military knowledge. As he might very safely have made a halt at Dunce, till his foot and artillery came up to him, so he might securely enough have engaged his body of horse against their whole pitiful army, there being neither tree nor bush to interrupt his charge; but it was thought otherwise; and no question it was generally believed, by the placing and drawing out their front in so conspicuous a place, by the appearance of other troops behind them, and by the shewing great herds of cattle at a distance upon the hills on either side, that their army was very much superior in number. And therefore, as soon as the earl came in view, he dispatched messengers one after another to the king, with an account of what he heard and saw, or believed he saw, and yet thought not fit to stay for an answer; but with the joint consent of all his superior officers (for it was never after pretended that any one officer of name dissuaded it, though they were still ashamed of it) retired towards his foot, to whom he had likewise sent orders not to advance; and so wearied and tired by the length of the march, and more by the heat of the weather, which was intolerable, they returned to the camp where the king was; and the Scots drew a little back to a more convenient post for their residence.

The covenanters, who very well understood the weakness of the court, as well as their own want of strength, were very reasonably exalted with this success, and scattered their letters abroad amongst the noblemen at court, according to the humours of the men to whom they writ; there being upon the matter an unrestrained intercourse between the king's camp and Edinburgh.

They writ three several letters to the three generals, the earl of Arundel, the earl of Essex, and the earl of Holland. That to the earl of Essex was in a dialect more submiss than to the others; they said much to him of "his own fame and reputation, which added to their affliction that he should be in arms against them; that they had not the least imagination of entering into a war against England; their only thought and hope was to defend their own rights and liberties, which were due to them by the laws of the land, until they might have access to his majesty, to expose their complaints to him, from which they were hindered by the power and greatness of some of their own countrymen;" being desirous the earl should understand that their principal grievance was the interest of the marquis of Hamilton, who, they knew, was not in any degree acceptable to the earl; and therefore desired him "to be ready to do them good offices to the king, that they might be admitted to his presence." The earl of Essex, who was a punctual man in point of honour, received this address superciliously enough, sent it to the king without returning any answer, or holding any conference, or performing the least ceremony, with or towards the messengers.

The earls of Arundel and Holland gave another kind of reception to the letters they received. To the former, after many professions of high esteem of his person, they enlarged upon "their great affection to the English nation, and how they abhorred the thought of a war between the two nations;" they besought him "to present their supplication" (which they enclosed) "to the king, and to procure their deputies admission to his majesty." The earl used them with more respect

than was suitable to the office of a general, and made many professions of "his desire to interpose," "and mediate a good peace between the nations:" and it was confidently reported and believed, that he had frequently made those professions by several messages he had sent before into Scotland; and he had given passes to many obscure persons, to go into and return out of that kingdom.

Their letter to the earl of Holland was in a more confident style, as to a man from whom they expected all good offices. They sent him likewise a copy of their supplication to the king, and desired him "to use his credit that a treaty might be entered into, and that his majesty would appoint men of religion and of public hearts to manage the treaty." And from this time that earl was found at least enough inclined to that interest; and the king's readiness to hear discourses of a pacification, and that messengers would be shortly sent to him with propositions worthy of his acceptance, abated those animosities, and appetite to war, which had made all the noise in the march.

Indeed the marquis of Hamilton's neighbourly residence with his fleet and foot soldiers before Leith, without any show of hostility, or any care taken to draw his friends and followers together for the king's service; on the other side, the visits his mother made him on board his ship, who was a lady of great authority amongst the covenanters, and most addicted to it and them, her daughters being likewise married to those noblemen who most furiously persecuted the church, and presided in those councils; the king's refusing to give leave to some officers of horse, who had offered to make inroads into the country, and destroy the stock thereof, whereby they would be presently obliged to make submission, and to ask pardon; and lastly, the reception of the earl of Holland after his shameful retreat, with so much satisfaction and joy as his majesty had manifested upon his return, (having after the first messenger's arrival from Dunc, when the enemy was in view, sent him orders not to engage,) made it then suspected, as it was afterwards believed by those who stood nearest, that his majesty had in truth never any purpose to make the war in blood, but believed that by shewing an army to them, that was able to force them to any conditions, they would have begged pardon for the contests they had made, and so he should have settled the church, and all things else, according to his pleasure: and sure he might have done so, if he had but sat still, and been constant to his own honour, and positive in denying their insolent demands. But the Scots in the court had made impression upon so many of the English lords, that though at that time there were very few of them who had entered into an unlawful combination against the king, yet there was almost a general dislike of the war, both by the lords of the court and of the country; and they took this opportunity to communicate their murmurs to each other; none of the persons who were most maligned for their power and interest with the king being upon the place; and all men believing, that nothing could be asked of the king, but what must be satisfied at their charge, whose damage they considered, though it was to be procured at the expense of the king's honour. When the covenanters understood by their intelligence, that the season was ripe, they sent their supplication (of which they had scattered so many copies)

to the king, and found themselves so welcome to all persons, that their modesty was not like to suffer any violence in offering the conditions.

The Scots had from the beginning practised a new sturdy style of address, in which, under the license of accusing the counsel and carriage of others, whom yet they never named, they bitterly and insolently reproached the most immediate actions and directions of his majesty himself; and then made the greatest professions of duty to his majesty's person that could be invented. The king had not, at that time, one person about him of his council, who had the least consideration of his honour, or friendship for those who sat at the helm of affairs; the duke of Lenox only excepted; who was a young man of small experience in affairs, though a man of great honour, and very good parts, and under the disadvantage of being looked upon as a Scotsman; which he was not in his affections at all, being born in England, of an English mother, and having had his education there; and had indeed the manners and nature and heart of an Englishman, and a duty and reverence and affection for the king and church accordingly; and would never trust himself in those intrigues, as too mysterious for him.

The rest who were about the king in any offices of attendance, were the earl of Holland, whom we have had occasion to mention before in the first entrance upon this discourse, and whom we shall have often occasion hereafter to speak of; and therefore shall say no more of him now, than that he neither loved the marquis of Hamilton, whom he believed the Scots intended to revenge themselves upon; nor Wentworth the deputy of Ireland; nor the archbishop of Canterbury; nor almost any thing that was then done in church or state. Secretary Coke, who had all the dispatches upon his hand, was near eighty years of age; a man of gravity, who never had quickness from his cradle; who loved the church well enough as it was twenty years before; and understood nothing that had been done in Scotland, and thought that nothing that was or could be done there worth such a journey as the king had put himself to. Sir Harry Vane was comptroller of the house, and a busy and a bustling man; who had credit enough to do his business in all places, and cared for no man otherwise than as he found it very convenient for himself. There was no other of his council of name but the general, the earl of Arundel; who was always true to the character under which he was heretofore delivered, and thought he had been general long enough. All the lustre of the court was in that part of the nobility which attended upon command, and at their own charge; and therefore the more weary of it. The earl of Pembroke hath been forgotten, who abhorred the war as obstinately as he loved hunting and hawking, and so was like to promote all overtures towards accommodation with great importunity: so the Scots found persons to treat with them according to their own wish. The earl of Essex still preserving his grandeur and punctuality, positively refused to meddle in the treaty, or to be communicated with, or so much as to be present, or receive any visits from the Scottish commissioners till after the pacification was concluded.

The covenanters were firm, and adhered still to their old natural principle, even in this their ad-

dress; justified all they had done to be "according to their native rights, and for the better advancement of his majesty's service, which they had always before their eyes;" and desired "to have those receive exemplary punishment, who had done them ill offices, and misrepresented their carriage to the king; and that some noble lords might be appointed to treat upon all particulars." And upon no other submission than this a treaty was presently entered upon, and concluded.

Whosoever will take upon him to relate all that passed in that treaty, must be beholding to his own invention; the most material matters having passed in discourse, and very little committed to writing. Nor did any two who were present agree in the same relation of what was said and done; and which was worse, not in the same interpretation of the meaning of what was comprehended in writing. An agreement was made, if that can be called an agreement, in which nobody meant what others believed he did: "The armies were to be disbanded; an act of oblivion passed; the king's forts and castles to be restored; and an assembly and parliament to be called for a full settlement; no persons reserved for justice, because no fault had been committed." The king's army, by the very words of the agreement, was not to be disbanded until all should be executed on their part; and the king himself, at that time, resolved to be present in the assembly at least, if not in the parliament: but the impatience of all was such for peace, that the king's army was presently disbanded; his majesty making all possible haste himself to London, and sending the earl of Traquair to Edinburgh, to prepare all things for the assembly; whilst the Scots made all the caresses to many of the English, and breathed out in mutual confidence their resentments to each other.

The marquis of Hamilton (whether upon the fame of the treaty, or sent for by the king, few knew) left his fleet before Leith in a very peaceable posture, and came to the Berkes some hours after the treaty was signed; which was very convenient to him, for thereby he was free from the reproach that attended it, and at liberty to find fault with it; which he did freely to the king, and to some others, whereby he preserved himself in credit to do more mischief. Many were then of opinion, and still are, that the marquis at that time was very odious to his countrymen; and it is certain that the chief managers at the treaty did persuade the English in whom they most confided, that their principal aim was to remove him from the court; which was a design willingly heard, and universally grateful. But whatever state of grace he stood in when he came thither, he did himself so good offices before he parted, that he was no more in their disfavour. The king's army was presently disbanded, and the Scots returned to Edinburgh with all they desired; having gotten many more friends in England than they had before; kept all their officers, and as many of their men as they thought fit, in pay; and prosecuted all those who had not shewed the same zeal in their covenant as themselves with great rigour, as men whose affections they doubted; and, instead of remitting any thing of their rage against their bishops, they entered a public protestation, "That they did not intend, by any thing contained in

"the treaty, to vacate any of the proceedings which had been in the late general assembly at Glasgow," (by which all the bishops stood excommunicated,) and renewed all their menaces against them by proclamation; and imposed grievous penalties upon all who should presume to harbour any of them in their houses: so that by the time the king came to London, it appeared plainly, that the army was disbanded without any peace made, and the Scots in more reputation, and equal inclination, to affront his majesty than ever. Upon which a paper published by them, and avowed to contain the matter of the treaty, was burned by the common hangman; everybody disavowing the contents of it, but nobody taking upon him to publish a copy that they owned to be true.

The mischief that befell the king from this wonderful atonement cannot be expressed, nor was it ever discovered what prevailed over his majesty to bring it so wofully to pass: all men were ashamed who had contributed to it; nor had he dismissed his army with so obliging circumstances as was like to incline them to come so willingly together, if there were occasion to use their service. The earl of Essex, who had merited very well throughout the whole affair, and had never made a false step in action or in council, was discharged in the crowd, without ordinary ceremony; and an accident happening at the same time, or very soon after, by the death of the lord Aston, whereby the command of the forest of Needwood fell into the king's disposal, which lay at the very door of his estate, and would infinitely have gratified him, was denied to him, and bestowed upon another: all which wrought very much upon his rough proud nature, and made him susceptible of some impressions afterwards, which otherwise would not have found such easy admission.

The factions and animosities at court were either greater, or more visible, than they had been before. The earl of Newcastle (who was governor to the prince, and one of the most valuable men in the kingdom, in his fortune, in his dependences, and in his qualifications) had, at his own charge, drawn together a goodly troop of horse of two hundred; which for the most part consisted of the best gentlemen of the north, who were either allied to the earl, or of immediate dependence upon him, and came together purely upon his account; and called this troop the prince of Wales's troop; whereof the earl himself was captain. When the earl of Holland marched with that party into Scotland, the earl of Newcastle accompanied him with that troop, and upon occasion of some orders, desired that troop, since it belonged to the prince of Wales, might have some precedence; which the general of the horse refused to grant him, but required him to march in the rank he had prescribed; and the other obeyed it accordingly, but with resentment, imputing it to the little kindness that was between them. But as soon as the army was disbanded, he sent a challenge to the earl of Holland, by a gentleman very punctual, and well acquainted with those errands; who took a proper season to mention it to him, without a possibility of suspicion. The earl of Holland was never suspected to want courage, yet in this occasion he shewed not that alacrity, but that the delay exposed it to notice; and so, by the king's authority, the matter was composed; though discoursed of with liberty enough to give the

whole court occasion to express their affections to either party.

The king himself was very melancholic, and quickly discerned that he had lost reputation at home and abroad; and those counsellors who had been most faulty, either through want of courage, or wisdom, (for at that time few of them wanted fidelity,) never afterwards recovered spirit enough to do their duty, but gave themselves up to those who had so much overwitted them; every man shifting the fault from himself, and finding some friend to excuse him: and it being yet necessary, that so infamous a matter should not be covered with absolute oblivion, it fell to secretary Coke's turn, (for whom nobody cared,) who was then near fourscore years of age, to be made the sacrifice; and, upon pretence that he had omitted the writing what he ought to have done, and inserted somewhat he ought not to have done, he was put out of his office; and within a short time after, sir Henry Vane (who was treasurer of the house) by the dark contrivance of the marquis of Hamilton, and by the open and visible power of the queen, made secretary of State; which was the only thing that could make the removal of the other old man censured and murmured at: and this was attended again with a declared and unseasonable dislike and displeasure in the queen against the lieutenant of Ireland, newly made Earl of Strafford; who out of some kindness to the old man, who had been much trusted by him and of use to him, and out of contempt and detestation of Vane, but principally out of a desire to have had that miscarriage expiated by a greater sacrifice, opposed the removal of secretary Coke with all the interest he could, got it suspended for some time, and put the queen to the exercise of her full power to perfect her work; which afterwards produced many sad disasters. So that this unhappy pacification kindled many fires of contention in court and country, though the flame broke out first again in Scotland.

On the other side, the Scots got so much benefit and advantage by it, that they brought all their other mischievous devices to pass with ease, and a prosperous gale in all they went about. They had before no credit abroad in any foreign parts, and so could procure neither arms nor ammunition; and though they could lead the people at home, out of the hatred and jealousy of popery, into unruly tumults, yet they had not authority enough over them to engage them in a firm resolution of rebellion: the opinion of their unquestionable duty and loyalty to the king was that which had given them reputation to affront him: nor durst they yet attempt to lay any tax or imposition upon the people, or to put them to any charge. But, after this pacification, they appeared much more considerable abroad and at home; abroad, where they were without a name, and considered by nobody, now that they had brought an army into the field against the king, gained all they pretended to desire, without reproach or blemish; France, their old ally, looked upon them as good instruments to disturb their neighbours; and cardinal Richelieu (who had never looked upon the defeat and overthrow at the isle of Rhé as any reparation for the attempt and dishonour of the invasion) was very glad of the opportunity of disturbing a rest and quiet,

which had not been favourable to his designs; and sent an agent privately to Edinburgh, to cherish and foment their unpeaceable inclinations; and received another from thence, who solicited supplies, and communicated counsels: he sent them arms and ammunition, and promised them encouragement and assistance proportionable to any enterprize they should frankly engage themselves in. Holland entered into a closer correspondence with them; and they found credit there for a great stock of arms and ammunition, upon security of payment within a year; which security they easily found a way to give. And thus countenanced and supplied, they quickly got credit and power over the people at home; and as soon as they had formed some troops of those who had been listed by them under good officers, (whereof store resorted to them of that nation out of Germany and Sweden,) and assigned pay to them, they made no longer scruple to impose what money they thought fit upon the people, and to levy it with all rigour upon them who refused, or expressed any unwillingness to submit to the imposition; and made the residence of any amongst them very uneasy, and very insecure, who were but suspected by them not to wish well to their proceedings: and so they renewed all those forms for the administration of the government, which they had begun in the beginning of the disorders, and which they disclaimed upon making the pacification; and refused to suffer the king's governor of the castle of Edinburgh (which was put into his hands about the same time) either to repair some works which were newly fallen down, or so much as to buy provision in the town for the food of the garrison.

But that which was the greatest benefit and advantage that accrued unto them from the agreement, and which was worth all the rest, was the conversation they had with the English with so much reputation, that they had persuaded very many to believe, that they had all manner of fidelity to the king, and had too much cause to complain of the hard proceedings against them by the power of some of their own countrymen; and the acquaintance they made with some particular lords, to that degree, that they did upon the matter agree what was to be done for the future, and how to obstruct any opposition or proceedings by those who were looked upon as enemies by both sides: for none in Scotland more disliked all that was done in court, and the chief actors there, than those lords of England did; though they were not so well prepared for an expedient for the cure.

The people of Scotland being now reduced to a more implicit obedience, and nobody daring to oppose the most violent proceedings of the most violent persons in authority, they lost no time, as hath been said, to make all preparations for a war they meant to pursue. Most of the king's privy council and great ministers, who (though they had not vigorously performed their duty in support of the regal power) till now had been so reserved, that they seemed not to approve the disorderly proceedings, but now as frankly wedded that interest as any of the leaders, and quickly became the chief of the leaders.

[Of these was] the earl of Argyle: who had been preserved by the king's immediate kindness and full power, and rescued from the anger and fury of his incensed father; who, being provoked

by the disobedience and insolence of his son, resolved so to have disposed of his fortune, that little should have accompanied the honour after his death. But by the king's interposition, and indeed imposition, the earl, in strictness of the law in Scotland, having need of the king's grace and protection, in regard of his being become Roman Catholic, and his majesty granting all to the son which he could exact from the father, the old man was in the end compelled to make over all his estate to his son; reserving only such a provision for himself, as supported him according to his quality during his life, which he spent in the parts beyond the seas. The king had too much occasion afterwards to remember, that in the close, after his majesty had determined what should be done on either part, the old man declared, "He would submit to the king's pleasure, though he believed he was hardly dealt with;" and then with some bitterness put his son in mind of his undutiful carriage towards him; and charged him "to carry in his mind how bountiful the king had been to him;" which yet, he told him, he was sure he would forget: and thereupon said to his majesty, "Sir, I must know this young man better than you can do: you have brought me low, that you may raise him; which I doubt you will live to repent; for he is a man of craft, subtilty, and falsehood, and can love no man; and if ever he finds it in his power to do you mischief, he will be sure to do it." The king considered it only as the effect of his passion, and took no other care to prevent it, but by heaping every day new obligations upon him; making him a privy councillor, and giving him other offices and power to do hurt, thereby to restrain him from doing it; which would have wrought upon any generous nature the effect it ought to have done. This earl (for his father was now dead) came not to Edinburgh during the first troubles; and though he did not dissemble his displeasure against the bishops, because one of them had affronted him, in truth, very rudely, yet he renewed all imaginable professions of duty to the king, and a readiness to engage in his service, if those disorders should continue: but after the pacification and the disbanding of the king's army, and the covenanters declaring that they would adhere to the acts of the Assembly at Glasgow, he made haste to Edinburgh with a great train of his family and followers; and immediately signed the covenant, engaged for the provision of arms, and raising forces; and in all things behaved himself like a man that might very safely be confided in.

There wanted not persons still who persuaded the king, "that all might yet be ended without blood; that there were great divisions amongst the chief leaders, through emulation and ambition of command; and that the access of the earl of Argyll to that party would drive others as considerable from it, who never did, nor ever would, unite with him in any design;" and therefore advised, "that his majesty would require them to send some persons intrusted by their body to attend him, and give an account of the reasons of their proceedings." They demanded a safe conduct for the security of the persons they should employ; which was sent accordingly: and thereupon some persons, of the nobility, and others, were commissioned to wait on the king; amongst which the lord Lowden was principally

relied on for his parts and abilities; a man who was better known afterwards, and whom there will hereafter be so often occasion to mention, as it will not be necessary in this place further to enlarge upon him. They behaved themselves, in all respects, with the confidence of men employed by a foreign state; refused to give any account but to the king himself; and even to himself gave no other reason for what was done, but the authority of the doers, and the necessity that required it; that is, that they thought it necessary: but then they polished this sturdy behaviour with all the professions of submission and duty, which their language could comprehend.

At this time the king happened to intercept a letter, which had been signed by the chief of the covenanters, and particularly by the lord Lowden, written to the French king, in which they complained "of the hardness and injustice of the government that was exercised over them; put him in mind of the dependence this kingdom formerly had upon that crown; and desired him now to take them into his protection, and give them assistance; and that his majesty would give entire credit to one Colvil, who was the bearer of that letter, and well instructed in all particulars;" and the letter itself was sealed and directed *Au Roy*: a style only used from subjects to their natural king. This letter being seen and perused by the lords of the council, and the lord Lowden being examined, and refusing to give any other answer, than "That it was writ before the agreement, and thereupon reserved and never sent; that, if he had committed any offence, he ought to be questioned for it in Scotland, and not in England; and insisting upon his safe conduct, demanded liberty to return." All men were of opinion, that so foul a conspiracy and treason ought not to be so slightly excused; and that both the lord Lowden and Colvil (who was likewise found in London, and apprehended) should be committed to the Tower: which was done accordingly; all men expecting that they would be brought to a speedy trial.

This discovery made a very deep impression upon the king; and persuaded him, that such a foul application could never have been thought of, if there had not been more poison in the heart, than could be expelled by easy antidotes; and that the strongest remedies must be provided to root out this mischief: thereupon he first advised with that committee of the council, which used to be consulted in secret affairs, what was to be done. That summer's action had wasted all the money that had been carefully laid up; and, to carry on that vast expense, the revenue of the crown had been anticipated; so that, though the raising an army was visibly necessary, there appeared no means how to raise that army. No expedient occurred to them so proper as a parliament, and which had been now intermitted near twelve years. And though those meetings had of late been attended by some disorders, the effects of mutinous spirits; and the last had been dissolved (as hath been said before) with some circumstances of passion and undutifulness, which so far incensed the king, that he was less inclined to those assemblies; yet this long intermission, and the general composure of men's minds in a happy peace, and universal plenty over the whole nation, (superior sure to what any other nation ever enjoyed,) made





THE  
MANUSCRIPT

THOMAS, FIRST LORD COVENTRY

OR 1610

FROM THE ORIGINAL MANUSCRIPT IN THE COLLECTION OF

THE RIGHT HONOURABLE THE EARL OF CLARENDON





it reasonably believed, notwithstanding the murmurs of the people against some exorbitancies of the court, that sober men, and such as loved the peace and plenty they were possessed of, would be made choice of to serve in the house of commons; and then the temper of the house of peers was not to be apprehended: but especially the opinion of the prejudice and general aversion over the whole kingdom to the Scots, and the indignation they had at their presumption in their thought of invading England, made it believed, that a parliament would express a very sharp sense of their insolence and carriage towards the king, and provide remedies proportionable.

Upon these motives and reasons, with the unanimous consent and advice of the whole committee, the king resolved to call a parliament; which he communicated the same day, or rather took the resolution that day, in his full council of state, which expressed great joy upon it; and directed the lord keeper to issue out writs for the meeting of a parliament upon the 13th day of April then next ensuing; it being now in the month of December; and all expedition was accordingly used in sending out the said writs, the notice of it being most welcome to the whole kingdom.

That it might appear that the court was not at all apprehensive of what the parliament would or could do; and that it was convened by his majesty's grace and inclination, not by any motive of necessity; it proceeded in all respects in the same unpopular ways it had done: ship-money was levied with the same severity; and the same rigour used in ecclesiastical courts, without the least compliance with the humour of any man; which was great steadiness; and, if it were then well pursued, it degenerated too soon afterwards.

In this interval, between the sealing the writs and the convention of the parliament, the lord keeper Coventry died; to the king's great detriment, rather than to his own. So much hath been said already of this great man, that there shall be no further enlargement in this place, than to say, that he was a very wise and excellent person, and had a rare felicity, in being looked upon generally throughout the kingdom with great affection, and a singular esteem, when very few other men in any high trust were so; and it is very probable, if he had lived to the sitting of that parliament, when, whatever lurked in the hearts of any, there was not the least approach of any irreverence to the crown, that he might have had great authority in the forming those counsels, which might have preserved it from so unhappy a dissolution. His loss was the more manifest and visible in his successor; the seal being within a day or two given to sir John Finch, chief justice of the court of common pleas; a man exceedingly obnoxious to the people upon the business of ship-money; and not of reputation and authority enough to countenance and advance the king's service.

These digressions have taken up too much time, and may seem foreign to the proper subject of this discourse; yet they may have given some light to the obscure and dark passages of that time, which were understood by very few. But for the future, very short mention shall be made of any thing but what immediately relates to the person, whose life is to be herein contained, or what is necessary to explain and illustrate those actions or counsels, in which he was interested or concerned.

The parliament met according to summons upon the 13th of April in the year 1640, with the usual ceremony and formality; and after the king had shortly mentioned "his desire to be again acquainted with parliaments, after so long an intermission; and to receive the advice and assistance of his subjects there;" he referred the cause of the present convention to be enlarged upon by the lord keeper: who related the whole proceedings of Scotland; "his majesty's condescensions the year before, in disbanding his army upon their promises and professions; their insolencies since; and their address to the king of France, "by the letter mentioned before;" which the king had touched upon, and having forgot to make the observation upon the superscription himself, he required the keeper to do it; who told them, after the whole relation, "That his majesty did not expect advice from them, much less that they should interpose in any office of mediation, which would not be grateful to him; but that they should, as soon as might be, give his majesty such a supply, as he might provide for the vindication of his honour, by raising an army, which the season of the year, and the progress the rebels had already made, called upon without delay; and his majesty assured them, if they would gratify him with this expedition, that he would give them time enough afterwards to represent any grievances to him, and a favourable answer to them;" and so dismissed the commons to choose their speaker; to which sergeant Glanville was designed, and chosen the same day: a man very equal to the work, very well acquainted with the proceedings in parliament; of a quick conception, and of a ready and voluble expression, dexterous in disposing the house, and very acceptable to them. The earl of Arundel, earl marshal of England, was made lord steward of the king's house; an office necessary in the beginning of a parliament; being to swear all the members of the house of commons before they could sit there. Two days after, the commons presented their speaker to the king, who, in the accustomed manner, approved their choice; upon which they returned to their house, being now formed and qualified to enter upon any debates.

The house met always at eight of the clock, and rose at twelve; which were the old parliament hours; that the committees, upon whom the greatest burden of business lay, might have the afternoons for their preparation and despatch. It was not the custom to enter upon any important business in the first fortnight; both because many members used to be absent so long; and that time was usually thought necessary for the appointment and nomination of committees, and for other ceremonies and preparations that were usual; but there was no regard now to that custom; and the appearance of the members was very great, there having been a large time between the issuing out of the writs and the meeting of the parliament, so that all elections were made and returned, and every body was willing to fall to the work.

Whilst men gazed upon each other, looking who should begin, (much the greatest part having never before sat in parliament,) Mr. Pym, a man of good reputation, but much better known afterwards, who had been as long in those assemblies as any man then living, brake the ice, and in a set discourse of

above two hours, after mention of the king with the most profound reverence, and commendation of his wisdom and justice, he observed, "That by the long intermission of parliaments many unwarrantable things had been practised, notwithstanding the great virtue of his majesty:" and then enumerated all the projects which had been set on foot; all the illegal proclamations which had been published, and the proceedings which had been upon those proclamations; the judgment upon ship-money; and many grievances which related to the ecclesiastical jurisdiction; summing up shortly, and sharply, all that most reflected upon the prudence and the justice of the government; concluding, "That he had only laid that scheme before them, that they might see how much work they had to do to satisfy their country; the method and manner of the doing whereof he left to their wisdoms." Mr. Grimston insisted only on the business of ship-money; the irregular and preposterous engaging the judges to deliver their opinion to the king, and their being afterwards divided in their judgment; and said, "He was persuaded, that they, who gave their opinions for the legality of it, did it against the dictamen of their own conscience." Peard, a bold lawyer, of little note, inveighed more passionately against it, calling it an *abomination*: upon which, Herbert, the king's solicitor, with all imaginable address, in which he then excelled, put them in mind "with what candour his majesty had proceeded in that, and all other things which related to the administration of justice to all his people; that, how persuaded soever he was within himself of the justice as well as necessity of levying ship-money, he would not send out a writ for the doing thereof, till he received the affirmative advice of all the judges of England; and when the payment was opposed by a gentleman," and then he took occasion to stroke and commend Mr. Hamden, who sat under him, for his great temper and modesty in the prosecution of that suit, "the king was very well contented that all the judges of England should determine the right; that never any cause had been debated and argued more solemnly before the judges; who, after long deliberation between themselves, and being attended with the records, which had been cited on both sides, delivered each man his opinion and judgment publicly in the court, and so largely, that but two judges argued in a day; and after all this, and a judgment with that solemnity pronounced for the king, by which the king was as legally possessed of that right, as of any thing else he had; that any particular man should presume to speak against it with that bitterness, and to call it an *abomination*, was very offensive, and unwarrantable; and desired that that gentleman, who had used that expression, might explain himself, and then withdraw." Very many called him to the bar; and the solicitor's discourse was thought to have so much weight in it, that Mr. Peard very hardly escaped a severe reprehension; which is mentioned only that the temper and sobriety of that house may be taken notice of, and their dissolution, which shortly after fell out, the more lamented.

Though the parliament had not sat above six or seven days, and had managed all their debates, and their whole behaviour, with wonderful order and

sobriety, the court was impatient that no advance was yet made towards a supply; which was foreseen would take up much time, whensoever they went about it, though never so cordially; and therefore they prevailed with the house of peers, which was more entirely at the king's disposal, that it would demand a conference with the house of commons, and then propose to them, by way of advice, "That they would begin with giving the king a supply, in regard of the urgency and even necessity of his affairs, and afterwards proceed upon their grievances, or any thing else as they thought fit:" and the house of peers accordingly did give their advice to this purpose at a conference. This conference was no sooner reported in the house of commons, than their whole temper seemed to be shaken. It was the undoubted fundamental privilege of the commons in parliament, that all supplies should have their rise and beginning from them; this had never been infringed, or violated, or so much as questioned in the worst times; and that now after so long intermission of parliaments, that all privileges might be forgotten, the house of peers should begin with an action their ancestors never attempted, administered too much cause of jealousy of somewhat else that was intended; and so with an unanimous consent they declared it to be "so high a breach of privilege, that they could not proceed upon any other matter until they first received satisfaction and reparation from the house of peers;" and which the next day they demanded at a conference. The lords were sensible of their error; which had been foreseen, and dissuaded by many of them; they acknowledged the privilege of the commons as fully as they demanded it, and hoped they had not broken it by offering their advice to them without mentioning the nature of the supply, the proportion, or manner of raising it, which they confessed belonged entirely to them: in fine, they desired them, "that this might be no occasion of wasting their time, but that they would proceed their own way, and in their own method, upon the affairs of the kingdom." This gave no satisfaction; was no reparation; and served their turn who had no mind to give any supply without discovering any such dissatisfaction, which would have got them no credit, the house being generally exceedingly disposed to please the king, and to do him service. But this breach of privilege, which was craftily enlarged upon, as if it swallowed up all their other privileges, and made them wholly subservient to the peers, was universally resented. A committee was appointed to examine precedents of former times, in case of violation of their privileges by the lords, though not of that magnitude, and thereupon to prepare a protestation to be sent up to the house of peers, and to be entered in their own Journal; and in the mean time no proceedings to be in the house upon any public business, except upon some report from a committee.

After some days had been passed in this manner, and it not being in view when this debate would be at an end, the king thought of another expedient, and sent a message in writing to the commons by sir Henry Vane, who was now both secretary of state and treasurer of the household, and at that time of good credit there; wherein his majesty took notice, "that there was some difference between the two houses, which retarded the trans-

"action of the great affairs of the kingdom, at a time when a foreign army was ready to invade it: that he heard the payment of ship-money, notwithstanding that it was adjudged his right, was not willingly submitted to by the people; to manifest therefore his good affection to his subjects in general, he made this proposition: that if the parliament would grant him twelve subsidies to be paid in three years, in the manner proposed, (that was, five subsidies to be paid the first year, four the second, and three to be paid in the last year,) his majesty would then release all his title or pretence to ship-money for the future, in such a manner as his parliament should advise."

Though exceptions might have been taken again in point of privilege, because his majesty took notice of the difference between the two houses; yet that spirit had not then taken so deep root: so that they resolved to enter, the next day after the delivery of it, upon a full debate of his majesty's message; they who desired to obstruct the giving any supply, believing they should easily prevail to reject this proposition upon the greatness of the sum demanded, without appearing not to favour the cause in which it was to be employed, which they could not have done with any advantage to themselves, the number of that class of men being then not considerable in the house. It was about the first day of May that the message was delivered, and the next day it was resumed about nine of the clock in the morning, and the debate continued till four of the clock in the afternoon; which had been seldom used before, but afterwards grew into custom. Many observed, "that they were to purchase a release of an imposition very unjustly laid upon the kingdom, and by purchasing it, they should upon the matter confess it had been just;" which no man in his heart acknowledged; and therefore wished, "that the judgment might be first examined, and being once declared void, what they should present the king with would appear a gift, and not a recompense:" but this was rather modestly insinuated than insisted upon; and the greater number reflected more of the proportion demanded, which some of those who were thought very well to understand the state of the kingdom, confidently affirmed to be more than the whole stock in money of the kingdom amounted to; which appeared shortly after to be a very gross miscomputation. There were very few, except those of the court, (who were ready to give all that the king would ask, and indeed had little to give of their own,) who did not believe the sum demanded to be too great, and wished that a less might be accepted, and therefore were willing, when the day was so far spent, that the debate might be adjourned till the next morning; which was willingly consented to by all, and so the house rose. All this agitation had been in a committee of the whole house, the speaker having left the chair, to which Mr. Lenthall, a lawyer of no eminent account, was called. But there was not, in the whole day, in all the variety of contradictions, an offensive or angry word spoken: except only that one private country gentleman, little known, said, "He observed that the supply was to be employed in the supporting *bellum episcopale*, which he thought the bishops were fittest to do themselves:" but as there was no reply, or notice taken of it, so there was nobody who seconded that envious reflection, nor any other expression of that kind.

The next day as soon as the house met, and prayers were read, it resolved again into a grand committee, the same person being again called to the chair: it was expected, and hoped, that there would have been some new message from the king, that might have facilitated the debate; but nothing appearing of that kind, the proposition was again read, and men of all sides discoursed much of what had been said before, and many spoke with more reflection upon the judgment of ship-money than they had done the day past, and seemed to wish, "that whatsoever we should give the king should be a free testimony of our affection and duty, without any release of ship-money, which deserved no consideration, but in a short time would appear void and null." And this seemed to agree with the sense of so great a part of the house, that Mr. Hambden, the most popular man in the house, (and the same who had defended the suit against the king in his own name, upon the illegality of ship-money,) thought the matter ripe for the question, and desired that the question might be put, "Whether the house would consent to the proposition made by the king, as it was contained in the message?" which would have been sure to have found a negative from all who thought the sum too great, or were not pleased that it should be given in recompense of ship-money.

When many called to have this question, sergeant Glanville, the speaker, (who sat by amongst the other members whilst the house was in a committee, and hath rarely used to speak in such seasons,) rose up, and in a most pathetic speech, in which he excelled, endeavoured to persuade the house "to comply with the king's desire, for the good of the nation, and to reconcile him to parliament for ever, which this seasonable testimony of their affections would infallibly do." He made it manifest to them how very inconsiderable a sum twelve subsidies amounted to, by telling them, "that he had computed what he was to pay for those twelve subsidies;" and when he named the sum, and he being known to be possessed of a great estate, it seemed not worth any further deliberation. And in the warmth of his discourse, which he plainly discerned made a wonderful impression upon the house, he let fall some sharp expressions against the imposition of ship-money, and the judgment in the point, which he said plainly "was against the law, if he understood what law was," (who was known to be very learned,) which expression, how necessary and artificial soever to reconcile the affections of the house to the matter in question, very much irreconciled him at court, and to those upon whom he had the greatest dependence.

There was scarce ever a speech that more gathered up and united the inclinations of a popular council to the speaker: and if the question had been presently put, it was believed the number of the dissenters would not have appeared great. But after a short silence, some men, who wished well to the main, expressed a dislike of the way, so that other men recovered new courage, and called again with some earnestness, "That the question formerly proposed by Mr. Hambden should be put;" which seemed to meet with a concurrence. Mr. Hyde then stood up, and desired, "that question might not be put; said, it was a captious question, to which only one sort of men could clearly give their vote, which were they who

"were for a rejection of the king's proposition, and no more resuming the debate upon that subject: but that they who desired to give the king a supply, as he believed most did, though not in such a proportion, nor, it may be, in that manner, could receive no satisfaction by that question; and therefore he proposed, to the end that every man might frankly give his yea, or his no, that the question might be put only, upon the giving the king a supply: which being carried in the affirmative, another question might be upon the proportion, and the manner; and if the first were carried in the negative, it would produce the same effect, as the other question proposed by Mr. Hambden would do."

This method was received with great approbation, but opposed by others with more than ordinary passion, and diverted by other propositions, which being seconded took much time, without pointing to any conclusion. In the end sergeant Glanville said, "That there had been a question proposed by his countryman, that agreed very well with his sense, and moved that the gentleman might be called upon to propose it again." Whereupon Mr. Hyde stated the case again as he had done, answered somewhat that had been said against it, and moved, "that question might be put." Whereupon for a long time there was nothing said, but a confused clamour, and call, "Mr. Hambden's question," "Mr. Hyde's question;" the call appearing much stronger for the last, than the former: and it was generally believed, that the question had been put, and carried in the affirmative, though it was positively opposed by Herbert the solicitor general, for what reason no man could imagine, if sir Henry Vane the secretary had not stood up, and said, "That, as it had been always his custom to deal plainly and clearly with that house in all things, so he could not but now assure them, that the putting and carrying that question could be of no use; for that he was most sure, and had authority to tell them so, that if they should pass a vote for the giving the king a supply, if it were not in the proportion and manner proposed in his majesty's message, it would not be accepted by him; and therefore desired that question might be laid aside;" which being again urged by the solicitor general upon the authority of what the other had declared, and the other privy-counsellors saying nothing, though they were much displeased with the secretary's averment, the business was no more pressed; but it being near five of the clock in the afternoon, and every body weary, it was willingly consented to that the house should be adjourned till the next morning.

Both sir Henry Vane, and the solicitor general Herbert, (whose opinion was of more weight with the king than the others,) had made a worse representation of the humour and affection of the house than it deserved, and undertook to know, that if they came together again, they would pass such a vote against ship-money, as would blast that revenue and other branches of the receipt; which others believed they would not have had the confidence to have attempted; and very few, that they would have had the credit to have compassed. What followed in the next parliament, within less than a year, made it believed, that sir Henry Vane acted that part maliciously, and to bring all into confusion; he being known to have an implacable

hatred against the earl of Strafford, lieutenant of Ireland, whose destruction was then upon the anvil. But what transported the solicitor, who had none of the ends of the other, could not be imagined, except it was his pride and peevishness, when he found that he was like to be of less authority there, than he looked to be; and yet he was heard with great attention, though his parts were most prevalent in puzzling and perplexing that discourse he meant to cross. Let their motives be what they would, they two, and they only, wrought so far with the king, that, without so much deliberation as the affair was worthy of, his majesty the next morning, which was on the fourth or fifth of May, not three weeks from their first meeting, sent for the speaker to attend him, and took care that he should go directly to the house of peers, upon some apprehension that if he had gone to the house of commons, that house would have entered upon some ingrateful discourse; which they were not inclined to do; and then sending for that house to attend him, the keeper, by his majesty's command, dissolved the parliament.

There could not a greater damp have seized upon the spirits of the whole nation, than this dissolution caused; and men had much of the misery in view, which shortly after fell out. It could never be hoped, that more sober and dispassionate men would ever meet together in that place, or fewer who brought ill purposes with them; nor could any man imagine what offence they had given, which put the king to that resolution. But it was observed, that in the countenances of those who had most opposed all that was desired by his majesty, there was a marvellous serenity; nor could they conceal the joy of their hearts: for they knew enough of what was to come, to conclude that the king would be shortly compelled to call another parliament; and they were as sure, that so many grave and unbiassed men would never be elected again.

Within an hour after the dissolving, Mr. Hyde met Mr. Saint-John, who had naturally a great cloud in his face, and very seldom was known to smile, but then had a most cheerful aspect, and seeing the other melancholic, as in truth he was from his heart, asked him, "What troubled him?" who answered, "That the same that troubled him, he believed, troubled most good men; that in such a time of confusion, so wise a parliament, which could only have found remedy for it, was so unseasonably dismissed: the other answered with a little warmth, "That all was well: and that it must be worse, before it could be better; and that this parliament would never have done what was necessary to be done;" as indeed it would not, what he and his friends thought necessary.

The king, when he had better reflected upon what was like to fall out, and was better informed of the temper and duty of the house of commons, and that they had voted a supply, if sir Henry Vane had not hindered it by so positive a declaration that his majesty would refuse it, was heartily sorry for what he had done; declared with great anger, "That he had never given him such authority; and that he knew well that the giving him any supply would have been welcome to him, because the reputation of his subjects assisting him in that conjuncture was all that he looked for and considered." He consulted the same

day, or the next, whether he might by his proclamation recall them to meet together again : but finding that impossible, he fell roundly to find out all expedients for the raising of money, in which he had so wonderful success, that, in less than three weeks, by the voluntary loan of the particular lords of the council, and of other private gentlemen about the city, some relating to the court, and others strangers to it, there was no less than three hundred thousand pounds paid into the exchequer to be issued out as his majesty should direct : a sum that sufficiently manifests the plenty of that time, and greater than any prince in Europe could have commanded in so short a time ; and was an unanswerable evidence, that the hearts of his subjects were not then alienated from their duty to the king, or a just jealousy for his honour.

All diligence was used in making levies, in which few of the general officers which had been employed the year before were made use of ; though it was great pity that the earl of Essex was not again taken in ; which had infallibly preserved him from swerving from his duty, and he would have discharged his trust with courage and fidelity, and therefore probably with success : but he was of a rough, proud nature, and did not think his last summer's service so well requited that he was earnestly to solicit for another office ; though there was no doubt but he would have accepted it, if it had been offered.

A general was appointed, the earl of Northumberland ; and the lord Conway general of the horse : which made the great officers of the former year, the earl of Arundel, the earl of Essex, and the earl of Holland, (who thought themselves free from any oversights that had been committed,) more capable of infusions by those who were ready to work according to the occurrences upon their several constitutions, and I am persuaded if this war had been left to the managery of the same officers, or rather if the earl of Essex had been made general, (who, notwithstanding the trivial disobligation he had received in being denied the command of Beedon-forest, might easily have been caressed,) it would have been more prosperously carried on. But the reputation of the earl of Northumberland, who had indeed arrived at a wonderful general estimation, was believed to be most instrumental : and the lord Conway by as gentle and as general a concurrence was thought an able soldier, and of great parts. Besides, the earls of Essex and Holland (for, for the earl of Arundel, there was neither reason why he was general in the first expedition, and why he was not in this ;) were thought less governable by those councils to which the main was then to be intrusted, the earl of Strafford bearing a part in them ; to whom the first was very averse, and the latter irreconcilable.

Despatches were sent into Ireland to quicken the preparations there, which the earl had left in a great forwardness, under the care of the earl of Ormond, his lieutenant-general : monies issued out for the levies of horse and foot there, and for the making a train : all which were as well advanced as, considering the general discomposure, could be reasonably expected.

And the king, the earl of Northumberland, and the earl of Strafford, thought they had well provided for the worst in making choice of the lord Conway to be general of the horse : a man very

dear to the two earls ; and indeed, by a very extraordinary fate, [he had] got a very particular interest and esteem in many worthy men of very different qualifications. He had been born a soldier in his father's garrison of the Brill, when he was governor there ; and bred up, in several commands, under the particular care of the lord Vere, whose nephew he was ; and though he was married young, when his father was secretary of state, there was no action of the English either at sea or land, in which he had not a considerable command ; and always preserved a more than ordinary reputation, in spite of some great infirmities, which use to be a great allay to the credit of active men ; for he was a voluptuous man in eating and drinking, and of great license in all other excesses, and yet was very acceptable to the strictest and the gravest men of all conditions. And which was stranger than all this, he had always (from his pleasure, to which his nature excessively inclined him, and from his profession, in which he was diligent enough) reserved so much time for his books and study, that he was well versed in all parts of learning, at least appeared like such a one in all occasions, and in the best companies. He was of a very pleasant and inoffensive conversation, which made him generally very acceptable : so that the court being at that time full of faction, very few loving one another, or those who resorted to any who were not loved by them, he alone was even domestic with all, and not suspected by either of the lords' or the ladies' factions.

The war was generally thought to be as well provided for, as, after the last year's miscarriage, it could be, by his being made general of the horse ; and no man was more pleased with it than the archbishop of Canterbury, who had contracted an extraordinary opinion of this man, and took great delight in his company, he being well able to speak in the affairs of the church, and taking care to be thought by him a very zealous defender of it ; when they who knew him better, knew he had no kind of sense of religion, and thought all was alike. He was sent down with the first troops of horse and foot which were levied, to the borders of Scotland, to attend the motion of the enemy, and had a strength sufficient to stop them, if they should attempt to pass the river, which was not fordable in above one or two places, there being good garrisons in Berwick and Carlisle. And in this posture he lay near Newburn in the outskirts of Northumberland.

Whilst these things were thus publicly acted, private agitations were not less vigorously intended. The treaty and pacification of the former year had given an opportunity of forming correspondences, and contriving designs, which before had been more clandestine ; and the late meeting in parliament had brought many together, who could not otherwise have met, and discovered humours and affections, which could not else have been so easily communicated. The court was full of faction and animosity, each man more intending the ruin of his adversary, and satisfying his private malice, than advancing his master's service, or complying with his public duty, and to that purpose directing all their endeavours, and forming all their intercourse ; whilst every man sottishly thought him whom he found an enemy to his enemies, a friend to all his other affections : or

rather by the narrowness of his understanding, and extent of his passion, having contracted all his other affections to that one of revenge.

And by this means those emissaries and agents for the confusion which was to follow were furnished with opportunity and art to entangle all those (and God knows they were a great people) who were transported with those vulgar and vile considerations : cheap, senseless libels were scattered about the city, and fixed upon gates and public remarkable places, traducing some, and proscribing others of those who were in highest trust and employment : tumults were raised, and all license both in actions and words taken ; inso-much as a rabble of mean, unknown, dissolute persons, to the number of some thousands, attempted the house of the lord archbishop of Canterbury at Lambeth, with open profession and protestation, "that they would tear him in pieces;" which (though one of that rabble, a sailor, was apprehended and executed in Southwark, upon an indictment of high treason) was so just a cause of terror, that the archbishop, by the king's command, lodged for some days and nights in Whitehall; which place likewise was not unthreatened in their seditious meetings and discourses. This infamous, scandalous, headless insurrection, quashed by the deserved death of that one varlet, was not then thought to be contrived or fomented by any persons of quality : yet it was discoursed after in the house of commons by Mr. Strode (one of those ephori who most avowed the curbing and suppressing of majesty) with much pleasure and content ; and it was mentioned in the first draught of the first remonstrance (when the same was brought in by Mr. Pym) not without a touch of approbation, which was for that reason somewhat altered, though it still carried nothing of judgment upon it in that piece.

Things standing thus both in the court and city, and the Scots preparing amain for an invasion, and we, at least, for a defence, on a sudden the lord Lowden, (who before was said to be committed for desiring protection and aid from the French king, by a letter under his hand) was discharged from his imprisonment ; without imparting that resolution to the council ; and after a few days admittance and kind reception at Whitehall, was dismissed into Scotland ; his authority and power with that people being as considerable as any man's, and his conduct as necessary for the enterprises they had in hand. This stratagem was never understood, and was then variously spoken of ; many believing he had undertaken great matters for the king in Scotland, and to quiet that distemper : others, that it was an act entirely compassed by the marquis of Hamilton, who was like to stand in need of great supporters, by that extraordinary obligation to endear himself with that nation ; or to communicate somewhat to that nation, if his condition before were so good that it needed no endearment. They who published their thoughts least, made no scruple of saying, "that if the policy were good and necessary of his first commitment, it seemed as just and prudent to have continued him in that restraint."

The progress in the king's advance for Scotland was exceedingly hindered by the great and dangerous sickness of the earl of Northumberland the general, whose recovery was either totally despaired

of by the physician, or pronounced to be expected very slowly ; so that there would be no possibility for him to perform the service of the north : whereupon he sent to the king, that he would make choice of another general. And though the lord Conway in all his letters sent advertisement, "that the Scots had not advanced their preparations to that degree, that they would be able to march that year," yet the king had much better intelligence that they were in readiness to move ; and so concluded, that it was necessary to send another general ; and designed the earl of Strafford for that command, and to leave the forces in Ireland, which were raised to make a diversion in Scotland, to be governed by the earl of Ormond. The earl of Strafford was scarce recovered from a great sickness, yet was willing to undertake the charge, out of pure indignation to see how few men were forward to serve the king with that vigour of mind they ought to do, and knowing well the malicious designs which were contrived against himself, but he would rather serve as lieutenant-general under the earl of Northumberland, than that he should resign his commission : and so, with and under that qualification, he made all possible haste towards the north, before he had strength enough for the journey.

And before he could arrive with the army, that infamous irreparable rout at Newburn was fallen out ; where the enemy marched at a time and place, when and where they were expected, through a river deep though fordable, and up a hill, where our army was ranged to receive them : through those difficulties and disadvantages, without giving or taking any blows, (for the five or six men of ours who were killed, fell by their cannon, before the passing of the river,) they put our whole army to the most shameful and confounding flight that was ever heard of ; our foot making no less haste from Newcastle, than our horse from Newburn ; both leaving the honour, and the coal, to those who had not confidence enough (notwithstanding the evidence they had seen of our fear) to possess that town in two days after ; not believing it possible that such a place, which was able to have waged war with their nation, could be so kindly quit to them : the lord Conway never after turning his face towards the enemy, or doing any thing like a commander, though his troops were quickly brought together again, without the loss of a dozen men, and were so ashamed of their flight, that they were very willing as well as able to have taken what revenge they would upon the enemy, who were possessed with all the fears imaginable, and could hardly believe their own success, till they were [assured that the lord Conway with all his army rested quietly in Durham, and then they presumed to enter into Newcastle.]

But it seemed afterwards to be a full vindication to the honour of the nation, that, from this infamous defeat at Newburn, to the last entire conquest of Scotland by Cromwell, the Scots' army never performed one signal action against the English, but were always beaten by great inequality of numbers as oft as they approached to any encounter, if they were not supported by English troops.

In this posture the earl of Strafford found the army about Durham, bringing with him a body much broken with his late sickness, which was not clearly shaken off, and a mind and temper confess-

ing the dregs of it, which being marvellously provoked and inflamed with indignation at the late dishonour, rendered him less gracious, that is, less inclined to make himself so, to the officers, upon his first entrance into his first charge; it may be, in that mass of disorder and unsoldierliness, not quickly discerning to whom kindness and respect was justly due. But those who by this time no doubt were retained for that purpose, took that opportunity to incense the army against him; and so far prevailed in it, that in a short time it was more inflamed against him than against the enemy; and was willing to have their want of courage imputed to excess of conscience, and that their being not satisfied in the grounds of the quarrel was the only cause that they fought no better. And in this disposition in all parts, the earl found it necessary to retire with the army to the skirts of Yorkshire, and himself to York, (whither the king was come,) leaving Northumberland and the bishopric of Durham to be possessed by the victors; who being abundantly satisfied with what they never hoped to possess, made no haste to advance their new conquests.

It was then and is now very much wondered at, that the earl of Strafford, upon his first arrival at the army, called no persons to a council of war for that shameful business of Newburn, or the more shameful quitting of Newcastle, (where were not ten barrels of musquet bullets, nor moulds to make any; the enemy having been long expected there, and our army not less than a month in that town; time enough, if nothing had been done before, to have made that place tenable for a longer time than it could have been distressed.) Whether the earl saw that it would not have been in his power to have proceeded finally and exemplarily upon that inquisition, and therefore chose rather not to enter upon it; or whether he found the guilt to be so involved, that though some were more obnoxious, few were faulty; or whether he plainly discerned whither the whole tended, and so would not trouble himself further in discovering of that, which, instead of a reproach, might prove a benefit to the persons concerned; I know not: but any public examination it never had.

The Scots needed not now advance their progress; their game was in the hands (no prejudice to their skill) of better gamblers. Besides, they were not to make the least inroad, or do the least trespass to their neighbours of Yorkshire; who were as solicitous, that, by any access or concurrence of the strength of that large county, they should not be driven further back; and therefore, instead of drawing their trained bands together (which of themselves would have been a greater or a better army than was to contend with them) to defend their county, or the person of the king then with them, they prepared petitions of advice and good counsel to him to call a parliament, and to remove all other grievances but the Scots. At the same time some lords from London (of known and since published affections to that invasion) attended his majesty at York with a petition, signed by others, eight or ten in the whole, who were craftily persuaded by the liegers there, Mr. Pym, Mr. Hambden, and Mr. Saint-John, to concur in it, being full of duty and modesty enough; without considering, that nothing else at that time could have done mischief; and so suffered themselves to be made instruments towards those ends, which in truth they abhorred.

In these distractions and discomposures, between an enemy proud and insolent in success, an army corrupted, or at best disheartened, a country mutinous and inclined to the rebels, at least not inclined to reduce them, and a court infected with all three, the king could not but find himself in great straits; besides that his treasure, which had hitherto kept that which was best from being worse, was quite spent. The raising and disbanding the first army so unfortunately and wretchedly, had cost full three hundred thousand pounds, which the good husbandry of the ministers of the revenue had treasured up for an emergent occasion; and the borrowing so much money for the raising and supplying this latter army had drawn assignments and anticipations upon the revenue to that degree, that there was not left wherewithal to defray the constant necessary expense of the king's household. A parliament would not be easily thought of for many other considerations than that it could not come together speedily enough to prevent that mischief, to which it should be chiefly applied: for if we were not then in a condition to defend ourselves, in forty days (the soonest a parliament could meet) an army elate with victory, when no town was fortified, or pass secured, would run over the kingdom; especially the people being every where so like to bid them welcome.

A new convention (not before heard of, that is, so old, that it had not been practised in some hundreds of years) was thought of, to call a great council of all the peers of England to meet and attend his majesty at York, that by their advice that great affair might be the more prosperously managed. Whether it was then conceived, that the honour of the king and kingdom being so visibly upon the stage, those branches of honour, which could not outlive the root, would undoubtedly rescue and preserve it; or whether it was believed, that upon so extraordinary an occasion the peers would suffice to raise money; as it was in that meeting proposed by one of them, "that they might give subsidies:" whether the advice was given by those who had not the confidence in plain terms to propose a parliament, but were confident that would produce one; or whether a parliament was then resolved on, and they called to be obliged by it, and so to be obliged to some sober undertaking in it; or what other ground or intention there was of that council, was never known: or whether indeed it was resolved out of the trouble and agony of afflicted thoughts, because no other way occurred: but such a resolution was taken, and writs immediately issued under the great seal of England to all the peers to attend his majesty at York within twenty days; and preparations were made in all places accordingly.

Whilst the lords are on their way thither, it will not be amiss to consider the general state of affairs in that time, and the persons to whom the managing the public business was principally then, and for some time had been, intrusted; that so, upon view of the materials, we may be the better enabled to guess how those dexterous workmen were like to employ themselves. It is told you before, that, upon the dissolution of the parliament but four months before, the lords of the council bestirred themselves in levying the ship-money, and in lending great sums of money for the war.

The convocation house (the regular and legal



assembling of the clergy) customarily beginning and ending with parliaments, was, after the determination of the last, by a new writ continued, and sat for the space of above a month under the proper title of a synod; made canons, which was thought that it might do; and gave subsidies, and enjoined oaths, that it might not do: in a word, did many things, which in the best times might have been questioned, and therefore were sure to be condemned in the worst; (what fuel it was to the fire that ensued, shall be mentioned in its place;) and drew the same prejudice upon the whole body of the clergy, to which before only some few clergymen were exposed.

The papists had for many years enjoyed a great calm, being upon the matter absolved from the severest parts of the law, and dispensed with for the gentlest; and were grown only a part of the revenue, without any probable danger of being made a sacrifice to the law. They were looked upon as good subjects at court, and as good neighbours in the country; all the restraints and reproaches of former times being forgotten. But they were not prudent managers of this prosperity, being too elate and transported with the protection and connivance they received: though I am persuaded their numbers increased not, their pomp and boldness did to that degree, that, as if they had affected to be thought dangerous to the state, they appeared more publicly, entertained and urged conferences more avowedly, than had been before known: they resorted at common hours to mass to Somerset house, and returned thence in great multitudes, with the same barefacedness as others came from the Savoy or the neighbour churches: they attempted and sometimes obtained proselytes of weak uninformed ladies, with such circumstances as provoked the rage and destroyed the charity of great and powerful families, which longed for their suppression: they grew not only secret contrivers, but public professed promoters of, and ministers in, the most odious and the most grievous projects: as in that of soap, formed, framed, and executed, by almost a corporation of that religion; which, under that license and notion, might be, and were suspected to be, qualified for other agitations. The priests, and such as were in orders, (orders that in themselves were punishable by death,) were departed from their former modesty and fear, and were as willing to be known as to be hearkened to; insomuch as a Jesuit at Paris, who was coming for England, had the boldness to visit the ambassador there, who knew him to be such, and, offering his service, acquainted him with his journey, as if there had been no laws here for his reception. And for the most envious protection and countenance of that whole party, a public agent from Rome (first Mr. Con, a Scottishman; and after him the count of Rozetti, an Italian) resided at London in a great port; publicly visited the court; and was avowedly resorted to by the catholics of all conditions, over whom they assumed a particular jurisdiction; and was caressed and presented magnificently by the ladies of honour, who inclined to that profession. They had likewise, with more noise and vanity than prudence would have admitted, made public collections of money to a considerable sum, upon some recommendations from the queen, and to be by her majesty presented as a free-will offering from his catholic subjects to the king, for the

carrying on the war against the Scots; which drew upon them the rage of that nation, with little devotion and reverence to the queen herself; as if she desired to suppress the protestant religion in one kingdom as well as the other, by the arms of the Roman catholics. To conclude, they carried themselves so, as if they had been suborned by the Scots to root out their own religion.

The bulk and burden of the state affairs, whereby the envy attended them likewise, lay principally upon the shoulders of the lord archbishop of Canterbury, the earl of Strafford, and the lord Cottington; some others being joined to them, as the earl of Northumberland for ornament, the lord bishop of London for his place, being lord high treasurer of England, the two secretaries, sir Henry Vane and sir Francis Windebank, for service, and communication of intelligence; only the marquis of Hamilton indeed, by his skill and interest, bore as great a part as he had a mind to do, and had the skill to meddle no further than he had a mind. These persons made up the committee of state, (which was reproachfully after called the *juncto*, and enviously then in the court the *cabinet council*,) who were upon all occasions, when the secretaries received any extraordinary intelligence, or were to make any extraordinary despatch, or as often otherwise as was thought fit, to meet: whereas the body of the council observed set days and hours for their meeting, and came not else together except specially summoned.

But, as I said before, the weight and the envy of all great matters rested upon the three first. The archbishop, besides the sole disposal of whatsoever concerned the church, which was an envious province, having been from the death of the earl of Portland (at which time he was made commissioner of the treasury) more engaged in the civil business, than I am persuaded he desired to be; and throughout the whole business passionately concerned for the church of Scotland, and so, conversant in those transactions: by all which means, besides that he had usually about him an uncourtly quickness, if not sharpness, and did not sufficiently value what men said or thought of him; a more than ordinary prejudice and uncharitableness was contracted against him; to which the new canons, and the circumstances in making them, made no small addition.

The earl of Strafford had for the space of almost six years entirely governed Ireland, where he had been compelled, upon reason of state, to exercise many acts of power; and had indulged some to his own appetite and passion, as in the cases of the lord chancellor, and the lord Mount-Norris; the first of which was *satis pro imperio*; but the latter, if it had not concerned a person notoriously unloved, and so the more unpitied, would have been thought the most extravagant piece of sovereignty, that in a time of peace had been ever executed by any subject. When and why he was called out of Ireland to assist in council here, I have touched before. He was a man of too high and severe a deportment, and too great a contemner of ceremony, to have many friends at court, and therefore could not but have enemies enough: he had two that professed it, the earl of Holland, and sir Henry Vane: the first could never forget or forgive a sharp sudden saying of his, (for I cannot call it counsel or advice,) when there had been some difference a few years before between his lordship and the lord

Weston, in the managing whereof the earl of Holland was confined to his house, "that the king should do well to cut off his head:" which had been aggravated, (if such an injury were capable of aggravation) by a succession of discountenances mutually performed between them to that time. Sir Henry Vane had not far to look back to the time that the earl had with great earnestness opposed his being made secretary, and prevailed for above a month's delay; which, though it was done with great reason and justice by the earl, on the behalf of an old fellow-servant, and his very [good] friend sir John Coke, (who was to be, and afterwards was, removed to let him in,) yet the justice to the one lessened not the sense of unkindness to the other: after which, or about the same time, (which it may be made the other to be the more virulently remembered,) being to be made earl of Strafford, he would needs in that patent have a new creation of a barony, and was made baron of Raby, a house belonging to sir Henry Vane, and an honour he made account should belong to him too; which was an act of the most unnecessary provocation (though he contemned the man with marvellous scorn) that I have known, and I believe was the loss of his head. To these a third adversary (like to be more pernicious than the other two) was added, the earl of Essex, naturally enough disinclined to his person, his power, and his parts, upon some rough carriage of the earl of Strafford's towards the late earl of saint Alban's, to whom he had some piety, [and therefore] openly professed to be revenged. Lastly, he had an enemy more terrible than all the other, and like to be more fatal, the whole Scottish nation, provoked by the declaration he had procured of Ireland, and some high carriage and expressions of his against them in that kingdom. So that he had reason to expect as hard measure from such popular councils as he saw were like to be in request, as all those disadvantages could create towards him. And yet no doubt his confidence was so great in himself, and in the form of justice, (which he could not suspect would be so totally confounded,) that he never apprehended a greater censure than a sequestration from all public employments, in which it is probable he had abundant satiety: and this confidence could not have proceeded (considering the full knowledge he had of his judges) but from a proportionable stock [of], and satisfaction in, his own innocence.

The lord Cottington, though he was a very wise man, yet having spent the greatest part of his life in Spain, and so having been always subject to the unpopular imputation of being of the Spanish faction, indeed was better skilled to make his master great abroad, than gracious at home; and being chancellor of the exchequer from the time of the dissolution of the parliament in the fourth year, had his hand in many hard shifts for money; and had the disadvantage of being suspected at least a favourer of the papists, (though that religion thought itself nothing beholding to him,) by which he was in great umbrage with the people: and then though he were much less hated than either of the other two, and the less, because there was nothing of kindness between the archbishop and him; and indeed very few particulars of moment could be proved against him: yet there were two objections against him, which rendered him as odious as any to the great reformers; the one,

that he was not to be reconciled to, or made use of in, any of their designs; the other, that he had two good offices, without the having of which their reformation could not be perfect: for besides being chancellor of the exchequer, he was likewise master of the wards, and had raised the revenue of that court to the king to be much greater than it had ever been before his administration; and by which husbandry, all the rich families of England, of noblemen and gentlemen, were exceedingly incensed, and even ind devoted to the crown, looking upon what the law had intended for their protection and preservation, to be now applied to their destruction; and therefore resolved to take the first opportunity to ravish that jewel out of the royal diadem, though it were fastened there by the known law, upon as unquestionable a right, as the subject enjoyed any thing that was most his own.

The marquis of Hamilton, if he had been then weighed in the scales of the people's hatred, was at that time thought to be in greater danger than any one of the other; for he had more enemies, and fewer friends, in court or country, than either of the other. His interest in the king's affections was equal, and thought to be superior to any man's; and he had received as envious instances, and marks of those affections. He had more out faced the law in bold projects and pressures upon the people, than any other man durst have presumed to do, as especially in the projects of wine and iron; about the last of which, and the most gross, he had a sharp contest with the lord Coventry, (who was a good wrestler too,) and at last compelled him to let it pass the seal: the entire profit of which always reverted to himself, and to such as were his pensioners. He had been the sole manager of the business of Scotland till the pacification; the readiest man, though then absent, to advise that pacification, and the most visible author of the breach of it. Lastly, the discoveries between the lord Mackay and David Ramsey, wherein the marquis was accused of designing to make himself king of Scotland, were fresh in many men's memories, and the late passages in that kingdom had revived it in others; so that he might reasonably have expected as ill a presage for himself from those fortunetellers, as the most melancholic of the other: but as he had been always most careful and solicitous for himself, so he was most likely to be apprehensive on his own behalf, and to provide accordingly.

And here I cannot omit a story, which I received from a very good hand, by which his great subtilty and industry for himself may appear, and was indeed as great a piece of art (if it were art) as I believe will be found amongst the modern politicians. After the calling the council of the peers at York was resolved upon, and a little before the time of their appearance, the marquis came to the king, and with some cloudiness (which was not unnatural) and trouble in his countenance, he desired his majesty to give him leave to travel: the king, surprised, was equally troubled at it, and demanded his reason: he told him, "he well foresaw a storm, in which his shipwreck was most probable amongst others; and that he, never having any thing before his eyes but his majesty's service, or in his vows, but an entire simple obedience to his commands, might haply, by his own unskilfulness in what was fit by any other rule, be more obnoxious than other men;

"and therefore, that, with his majesty's leave, he would withdraw himself from the hazard at least of that tempest." The king, most graciously inclined to him, bad him "be most confident, that though he might (which he was resolved to do) gratify his people with any reasonable indulgence, he would never fail his good servants in that protection which they had equal reason to expect from him." The marquis with some quickness replied, "that the knowledge of that gracious disposition in his majesty was the principal cause that he besought leave to be absent; and that otherwise he would not so far desert his own innocence, which he was sure could be only sullied and discredited with infirmities and indiscretions, not tainted or defaced with design and malice. But (said he) I know your majesty's goodness will interpose for me to your own prejudice: and I will rather run any fortune, from whence I may again return to serve you, than be (as I foresee I should be) so immediate a cause of damage and mischief to so royal a master." He told him, "that he knew there were no less fatal arrows aimed at the archbishop of Canterbury and the earl of Strafford than at himself; and that he had advertised the first, and advised the last, to take the same course he meant to secure himself by withdrawing: but (he said) the earl was too great-hearted to fear, and he doubted the other was too bold to fly."

The king was much disturbed with the probability and reason of what was said; which the other as soon observing, "There is (said he) one way by which I might secure myself without leaving the kingdom, and by which your majesty, as these times are like to go, might receive some advantage: but it is so contrary to my nature, and will be so scandalous to my honour in the opinion of men, that, for my own part, I had rather run my fortune." His majesty, glad that such an expedient might be found, (as being unwilling to hazard his safety against so much reason as had been spoken, by compelling him to stay; and as unwilling, by suffering him to go, to confess an apprehension that he might be imposed upon,) impatiently asked, "What that way was?" The marquis replied, "That he might endear himself to the other party by promising his service to them, and seeming to concur with them in opinions and designs; the which he had reason to believe the principal persons would not be averse to, in hope that his supposed interest in his majesty's opinion might be looked upon as of moment to them for their particular recommendations. But (he said) this he knew would be immediately looked upon with so much jealousy by other men, and shortly with that reproach, that he might by degrees be lessened even in his majesty's own trust; and therefore it was a province he had no mind to undertake:" and so renewed his suit again very earnestly for leave to travel.

The king, for the reasons aforesaid, much delighted with this expedient, and believing likewise, that in truth he might by this means frequently receive animadversions of great use, and having a singular esteem of the fidelity and affection of the marquis, told him positively, "That he should not leave him; that he was not only contented, but commanded him to ingratiate himself by any means with the other people;" and assured him, "that it should not be in any body's power to

"infuse the least jealousy of him into his royal breast." The which resolution his majesty observed so constantly, that the other enjoyed the liberty of doing whatsoever he found necessary for his own behoof; and with wonderful craft and low condescensions to the ends and the appetites of very inferior people, and by seasonable insinuations to several leading persons (of how different inclinations soever) of such particulars as were grateful to them, and seemed to advance their distinct and even contrary interests and pretences, he grew to have no less credit in the parliament, than in the Scottish commissioners; and was with great vigilance, industry, and dexterity, preserved from any public reproach in those charges which served to ruin other men, and which with more reason and justice might have been applied to him than against any other; and yet for a long time he did not incur the jealousy of the king; to whom he likewise gave many advertisements, which, if there had been persons enough who would have concurred in prevention, might have proved of great use.

In this state and condition were things and persons when the lords came to York to the great council in September; and the first day of their meeting (that the counsel might not seem to arise from them who were resolved to give it, and that the queen might receive the honour of it; who, the king said, had by a letter advised him to it; as his majesty exceedingly desired to endear her to the people) the king declared to them, "that he was resolved to call a parliament to assemble at Westminster the third day of November following;" which was as soon as was possible. So the first work was done to their hands, and they had now nothing to do but to dispose matters in order against that time, which could not well be done without a more overt conversation with the Scots. For though there was an intercourse made, yet it passed for the most part through hands whom the chief had no mind to trust: as the lord Savile; whom his bitter hatred to the earl of Strafford, and as passionate hope of the presidentship of the north, which the earl had, made applicable to any end; but otherwise a person of so ill a fame, that many desired not to mingle with him. For, besides his no reputation, they begun now to know that he had long held correspondence with the Scots before their coming in, and invited them to enter the kingdom with an army; in order to which, and to raise his own credit, he had counterfeited the hands of some other lords, and put their names to some undertakings of joining with the Scots; and therefore they were resolved to take that negotiation out of his hands, (without drawing any prejudice upon him for his presumption,) which they had quickly an opportunity to do. For the first day of the lords' meeting, a petition is presented to his majesty full of dutiful and humble expressions from the Scots, who well knew their time, and had always (how rough and undutiful soever their actions were) given the king as good and as 'submissive words as can be imagined. This petition, full of as much submission as a victory itself could produce, (as was urged by some lords,) could not but beget a treaty, and a treaty was resolved on speedily to be at Rippon, a place in the king's quarters: but then, special care was taken, by cautions given to his majesty, that no such ungracious person might be intrusted by him in this treaty as might beget jealousies in the

Scots, and so render it fruitless : and therefore the earls of Hertford, Bedford, Pembroke, Salisbury, Essex, Holland, Bristol, and Berkshire, the lords Mandevile, Wharton, Dunsmore, Brook, Savile, Paulet, Howard of Escrick (the lord Say being sick, and so not present at York) were chosen by the king ; all popular men, and not one of them of much interest in the court, but only the earl of Holland, who was known to be fit for any counsel that should be taken against the earl of Strafford, who had not amongst them one friend or person civilly inclined towards him.

When these commissioners from the king arrived at Rippon, there came others from the Scots' army of a quality much inferior, there being not above two noblemen, whereof the lord Lowden was the chief, two or three gentlemen and citizens, and Alexander Henderson their metropolitan, and two or three other clergymen. The Scots applied themselves most particularly to the earls of Bedford, Essex, Holland, and the lord Mandevile, though in public they seemed equally to caress them all ; and besides the duty they professed to the king in the most submissive expressions of reverence that could be used, they made great and voluminous expressions " of their affection to the kingdom and people of England ; and remembered the infinite obligations they had from time to time received from this nation ; especially the assistance they had from it in their reformation of religion, and their attaining the light of the gospel ; and therefore as it could never fall into their hearts to be ungrateful to it, so they hoped that the good people of England would not entertain any ill opinion of the manner of their coming into this kingdom at this time in a hostile manner, as if they had the least purpose of doing wrong to any particular persons, much less to alter any thing in the government of the kingdom ; protesting, that they had the same tenderness of their laws and liberties, and privileges, as of their own ; and that they did hope, as the oppressions upon their native country, both in their civil and spiritual rights, had obliged them to this manner of address to the king, to whom all access had been denied them by the power of their enemies ; so, that this very manner of their coming in might be for the good of this kingdom, and the benefit of the subjects thereof, in the giving them opportunity to vindicate their own liberties and laws ; which, though not yet so much invaded as those of Scotland had been, were enough infringed by those very men who had brought so great misery and confusion upon that kingdom ; and who intended, when they had finished their work there, and in Ireland, to establish the same slavery in England as they had brought upon the other two kingdoms. All which would be prevented by the remove of three or four persons from about the king ; whose own gracious disposition and inclinations would bountifully provide for the happiness of all his dominions, if those ill men had no influence upon his counsels."

There was not a man of all the English commissioners to whom this kind of discourse was not grateful enough, and who did not promise to himself some convenience that the alterations which were like to happen might produce. And with those lords with whom they desired to enter into greater confidence, they conferred more openly and

particularly, of the three persons towards whom their greatest prejudice was, the archbishop, the earl of Strafford, and the marquis of Hamilton, (for in their whole discourses they seemed equally at least incensed against him, as against either of the other two,) whom they resolved should be removed from the king. They spake in confidence " of the excess of the queen's power, which in respect of her religion, and of the persons who had most interest in her, ought not to prevail so much upon the king as it did in all affairs. That the king could never be happy, nor his kingdom flourish, till he had such persons about him in all places of trust, as were of honour and experience in affairs, and of good fortunes and interests in the affections of the people ; who would always inform his majesty that his own greatness and happiness consisted in the execution of justice, and the happiness of his subjects ; and who are known to be zealous for the preservation and advancement of the protestant religion, which every honest man thought at present to be in great danger, by the exorbitant power of the archbishop of Canterbury, and some other bishops who were governed by him." It was no hard matter to insinuate into the persons with whom they held this discourse, that they were the persons to whom they wished all trust should be communicated, and that they were the very men who they wished should be in most credit about the king ; and they concluded that their affections were so great to this kingdom, and that all grievances might be reduced here, that if they might receive present satisfaction in all that concerned themselves, they would not yet return, till provision might likewise be made for the just interest of England, and the reformation of what was amiss there with reference to church and state.

This appeared so hopeful a model to most of the king's commissioners, that having no method prescribed to them to treat in, (and were indeed sent only to hear what the Scots would propose, the king himself then intending to determine what should be granted to them,) they never considered the truth of any of their allegations, nor desired to be informed of the ground of their proceedings ; but patiently hearkened to all they said in public, of which they intended to give an account to the king ; and willingly heard all they said in private, and made such use of it as they thought most conduced to their own ends. The Scottish commissioners proposed, " that, for the avoiding the effusion of Christian blood, there might be some way found to prevent all acts of hostility on either side ; which could not possibly be done, except some order was given for the payment of their army, which was yet restrained to close and narrow quarters." And the truth is, they were in daily fear that those quarters would have been beaten up, and so the ill courage of their men too easily discovered, who were more taught to sing psalms, and to pray, than to use their arms ; their hopes of prevailing being, from the beginning, founded upon an assurance that they should not be put to fight.

There had been in that infamous rout at Newburn two or three officers of quality taken prisoners, who endeavouring to charge the enemy with the courage they ought to do, being deserted by their troops could not avoid falling into the Scots' hands ; two of which were Wilnot, who was commissary-

general of the horse, and O'Neile, who was major of a regiment; both who were officers of name and reputation, and of good esteem in the court with all those who were incensed against the earl of Strafford, towards whom they were both very devoted. Those gentlemen were well known to several of the principal commanders in the Scots' army, (who had served together with them in Holland under the prince of Orange,) and were treated with great civility in their camp; and when the commissioners came to Rippon, they brought them with them, and presented them to the king by his commissioners, to whom they were very acceptable; and did those who delivered them more service by the reports they made of them in the army when they returned to their charges, and in the court, than they could have done by remaining prisoners with them; and contributed very much to the irreconciling the army to the earl of Strafford, who was to command it.

After few days the commissioners returned to the king at York, and gave him an account of what had passed, and of the extraordinary affection of the Scots to his majesty's service; and Wilmot and O'Neile magnified the good discipline and order observed in the army, and made their numbers to be believed much superior to what in truth they were.

Three of the commissioners, and no more, were of the king's council, the earls of Pembroke, Salisbury, and Holland, who were all inspired by the Scots, and liked well all that they pretended to desire. Besides those, the king had nobody to consult with but the lord keeper Finch, the duke of Richmond, the marquis of Hamilton, the earl of Strafford, and sir Harry Vane, principal secretary of state. The first of which, the lord keeper, was obnoxious to so many reproaches, that, though his affection and fidelity was very entire to the king, all his care was to provoke no more enemies, and to ingratiate himself to as many of those who he perceived were like to be able to protect him, which he knew the king would not be able to do; and towards this he laboured with all industry and dexterity. The duke of Richmond was young, and used to discourse with his majesty in his bed-chamber rather than at the council-board, and a man of honour and fidelity in all places; and in no degree of confidence with his countrymen, because he would not admit himself into any of their intrigues. The marquis had leave to be wary, and would give his enemies no new advantages.

Nor indeed was there any man's advice of much credit with the king, but that of the earl of Strafford; who had no reason to declare his opinion upon so nice a subject in the presence of the earl of Holland and sir Harry Vane; and thought there was only one way to be pursued, (which was not to be communicated at the council,) and that was to drive the Scots out of the kingdom by the army: and without considering what was done at the treaty, (which had not yet agreed upon any cessation,) he sent a good party of horse, commanded by major Smith, to fall upon a Scottish quarter in the bishopric of Durham, who, defeated two or three of their troops, and took all the officers prisoners, and made it manifest enough that the kingdom might be rid of the rest, if it were vigorously pursued; which the earl of Strafford heartily intended. But Lesley, the Scottish general, complained "that he himself had forborne to make

"any such attempt out of respect to the treaty;" and the English commissioners thought themselves neglected and affronted by it. And when it was found that the officer who conducted that enterprise was a Roman catholic, it made more noise; and they prevailed with the king to restrain his general from giving out any more such orders.

And the king began so far to dislike the temper of his commissioners, that he thought the parliament itself would be more jealous of his honour, and more sensible of the indignities he suffered by the Scots, than the commissioners appeared to be; and therefore he sent them back to Rippon again to renew the treaty, and to conclude a cessation of arms upon as good terms as they could; so that the Scots' army might not advance into Yorkshire, nor enlarge their quarters any way beyond what they were already possessed of: and this concession being agreed to, they should not enter upon any other particulars, but adjourn the treaty to London; which was the only thing the Scots desired, and without this they could never have brought their designs to pass. When the other lords returned to Rippon, the earl of Pembroke (as a man of a great fortune, and at that time very popular) was sent with two or three other lords to London, with a letter from the king, and a subscription from the lords commissioners of the treaty (which was then more powerful) to borrow two hundred thousand pounds from the city, for the payment of both armies whilst the cessation and treaty should continue; "which they hoped would quickly be at an end, and the Scots return into their own country." The city was easily persuaded to furnish the money, to be repaid out of the first that should be raised by the parliament; which was very shortly to meet.

And the commissioners at Rippon quickly agreed upon the cessation; and undertook to pay fifty thousand pound the month for the support of the Scots' army, when they did assign but thirty thousand pound the month for the king's; taking the Scots' commissioners' word for their musters, which made their numbers so much superior to the other; which two sums amounting to four-score thousand pound, a sum too great for the kingdom to pay long, as was then generally believed. It was pretended that two months would put an end to the treaty; so that the two hundred thousand pounds, which the city had supplied, would discharge all to the disbanding: and in this hope the king confirmed the cessation, and sent a safe conduct for such commissioners as the Scots should think fit to send to London for the carrying on the treaty.

All which being done, the king and the lords left York, that they might be at London before the beginning of the parliament; the earl of Strafford staying still in the north to put the army into as good a posture as he could, and to suppress the mutinous spirit it was inclined to; and, if it were possible, to dispose that great county (of which he had the entire command) to a better temper towards the king's service, and to a greater indignation towards the Scots; of whom they did not use to have too charitable an opinion. But in both these applications he underwent great mortification; the officers of the army every day asking his leave to repair to London, being chosen to serve in parliament; and when he denied to give them passes, they went away without them: and the

gentlemen of the country who had most depended upon him, and been obliged by him, withdrawing their application and attendance, and entering into combination with his greatest enemies against him.

It is not to be denied, the king was in very great straits, and had it not in his power absolutely to choose which way he would go; and well foresaw, that a parliament in that conjuncture of affairs would not apply natural and proper remedies to the disease; for though it was not imaginable it would have run the courses it afterwards did, yet it was visible enough he must resign very much to their affections and appetite, (which were not like to be contained within any modest bounds,) and therefore no question his majesty did not think of calling a parliament at first, but was wrought to it by degrees: yet the great council could not but produce the other; where the unskilfulness and passion of some for want of discerning consequences, and a general sharpness and animosity against persons, did more mischief than the power or malice of those who had a formed design of confusion; for without doubt that fire at that time (which did shortly after burn the whole kingdom) might have been covered under a bushel. So as in truth there was no counsel so necessary then, as for the king to have continued in his army, and to have drawn none thither, but such as were more afraid of dishonour than danger; and to have trusted the justice and power of the law with suppressing of tumults, and quieting disorders in his rear.

It is strange, and had somewhat of a judgment from Heaven in it, that all the industry and learning of the late years had been bestowed in finding out and evincing, that in case of necessity any extraordinary way for supply was lawful; and upon that ground had proceeded when there was no necessity; and now, when the necessity was apparent, money must be levied in the ordinary course of parliament, which was then more unnatural and extraordinary than the other had been; as York must be defended from an enemy within twenty-five miles of it, by money to be given at London six weeks after, and to be gathered in six months. It had been only the season and evidence of necessity that had been questioned; and the view of it in a perspective of state at a distance that no eyes could reach, denied to be ground enough for an imposition: as no man could pull down his neighbour's house because it stood next furze, or thatch, or some combustible matter which might take fire; though he might do it when that combustible matter was really a-fire. But it was never denied that *flagrante bello*, when an enemy had actually invaded the kingdom, and so the necessity both seen and felt, that all men's goods are the goods of the public, to be applied to the public safety, and as carefully to be repaired by the public stock. And it is very probable, (since the factions within, and the correspondence abroad was so apparent, that a parliament then called would do the business of the Scots, and of those who invited them hither,) that if the king had positively declared, that he would have no parliament as long as that army stayed in England, but as soon as they were retired into their own country he would summon one, and refer all matters to their advice, and even be advised by them in the composing the distractions of Scotland: I say, it is probable, that they would either willingly have left the kingdom,

or speedily have been compelled; there being at that time an army in Ireland (as was said before) ready to have visited their own country.

Neither would the indisposition of the king's army (which was begot only by those infusions, that there must of necessity be a parliament, which would prevent farther fighting) have lasted, when they had found those authors confuted; for the army was constituted of good officers, which were more capable of being deceived by their friends, than imposed upon by their enemies; and they had their soldiers in good devotion, and the business of Newburn would rather have been a spur than a bit to all. And it had been much the best course that could have been taken, if, after the fright at Newburn, the king, as well as the earl of Strafford, had made haste to Durham, and kept that post, without staying at York; and after some exemplary justice and disgrace upon the chief officers who were faulty, till the army had recovered their spirits, (which in a very short time it did with shame and indignation enough,) had marched directly against the Scots; by which they would have speedily dispossessed them of their new conquest, and forced them to have run distracted into their own country; as may be reasonably concluded from their behaviour whenever they were assaulted afterwards by the English.

And it is as strange, that the experience of the last summer, when the attendance of so great a number of the nobility (who had no mind to the war, and as little devotion to the court) was the true ground and cause of that ridiculous pacification, did not prevail with the king never to convene the same company to him; which could do him very little good, if they had desired it; and could not but do him more harm than even the worst of them at that time intended to do: for it might very easily have been foreseen, that the calling so many discontented, or disobliged, or disaffected men together, with a liberty to consult and advise, very few whereof had that affection and reverence for the person of the king as they ought to have had, though scarce any of them had at that time that mischief in their hearts which they afterwards discovered against him, or indeed had the least purpose to rebel: I say, the calling such men together could not but make every man much worse than they came, and put worse thoughts into their heads than they brought with them, when the miscarriage as well as the misfortune of the court would be the common argument and discourse; and when they would quickly discern, that it was like to be in every one of their powers to contribute to the destruction, at least to the disgrace, of men they had no kindness for, and most of them great animosity against.

But the king was without the presence and attendance of any man in whose judgment and wisdom he had a full confidence; for the earl of Strafford was at the army; and they who first proposed the calling the peers knew well enough that the king knew parliaments too well to be inclined to call one, if they should propose it; and therefore they proposed another expedient, which he knew not; and so was surprised with the advice, (which he thought could do no harm,) and so gave direction for the issuing out of the writs, before he enough considered whether it might not in truth produce some mischief he had not well thought of; as he quickly found it. Nor did the

Scots themselves resolve to give him more disquiet in the ensuing parliament, than the major part of his great council, that he brought together, resolved to concur with them therein : and with that disposition, which they could never have contracted if they had remained by themselves, they all hastened to the place where they might do the mischief they intended.

The next error to this was, that at the meeting of the great council at York, and before any consent to the treaty at Rippon, there was not a state made, and information given of the whole proceedings in Scotland, and thereupon some debate and judgment by the whole council before the sixteen departed, for their information and instruction : and this had been strangely omitted before at the pacification, inasmuch as many who had been employed in that first at the Berkes, and in the last at Rippon, confessed that neither of them (and they were of the prime quality) then did, or ever after, know any thing of the laws and customs of that kingdom (by which they might have judged whether the king had exceeded his just power, or any thing of the matter of fact in the several transactions) but what they had received at those meetings from the persons who were naturally to make their own defence, and so by accusing others to make their own case the more plausible ; in which it could not be expected they would mention any thing for their own disadvantage.

By them they were told "of a liturgy imposed upon them by their bishops, contrary [to] or without act of parliament, with strange circumstances of severity and rigour : of some clauses in that liturgy, different from that of the church of England ;" with pretty smart comments of advice, and animadversion upon those alterations : "of a book of canons, in which an extraordinary and extravagant power was asserted to the bishops : of a high commission court, which exceeded all limits, and censured all degrees of men : of the insolent speeches of this bishop to that nobleman, and of the ill life of another : of their great humility and duty to their sacred sovereign, without whose favour and protection they would not live : and, lastly, "of their several most submissive addresses, by petition and all other ways, to his majesty ; being desirous, when their grievances were but heard, to lay themselves and their complaints at his royal feet, and to be most entirely disposed by him in such manner, as to his wisdom alone should be thought fit : but that, by the power and interposition of their adversaries, all their supplications had been rejected, and they never yet admitted to be heard."

With these and the like artifices our good lords were so wrought upon and transported, that they easily consented to whatsoever was proposed ; nor was there any proposition made and insisted on by them at the first or second treaty, which was not for the matter fully consented to : whereas, if their lordships had been fully advertised of the whole truth, (though there had been some inadvertencies and incogitancy in the circumstances of the transaction,) his majesty had full power, by the laws of Scotland then in force, to make that reformation he intended ; and all their petitions and addresses had found most gracious acceptance, and received most gracious answers ; and that, on the contrary, they had invaded all the rights of the crown, altered

the government, affronted the magistrates and ministers of justice, and his majesty's own regal authority, with unheard of insolences and contempts ; rejected all his offers of grace and pardon, and, without cause or provocation, denounced war against him ; besieged and taken the castle of Edinburgh, and other places which held for his majesty ; I say, if this had been made as evident to them as surely it might have been made, it is not possible but those noble persons would have preserved themselves from being deluded by them ; at least many of the inconveniences which after ensued would have been prevented, if the form and method of their proceedings had been prescribed, or better looked into.

But it must be confessed, that in that conjuncture such necessary evidence and information could very hardly be given : for though it must not be doubted that there were many particular persons of honour of that nation who abhorred the outrages which were committed, and retained within their own breasts very loyal wishes for his majesty's prosperity ; yet it cannot be denied that those persons, who by the places they held (of king's advocate, and other offices) ought to have made that information of matter of law, and matter of fact, were themselves the most active promoters of the rebellion ; and the defection, as to any declaration on his majesty's behalf, was so general, that they who were not corrupted in their inward fidelity were so terrified, that they durst not appear in any office that might provoke those who solely had the power and the will to destroy them.

The last and most confounding error was the removing the treaty to London, and upon any terms consenting that the Scottish commissioners should reside there before a peace concluded. By which means, they had not only opportunity to publish all their counsels and directions in their sermons to the people, (who resorted thither in incredible numbers,) and to give their advice, from time to time, to those of the English who knew not so well yet to compass their own ends, but were ready (when any business was too big and unwieldy to be managed by the few who were yet thoroughly engaged) to interpose in the name of their nation, and, with reference to things or persons, to make such demands from and on the behalf of the kingdom of Scotland, as under no other style would have received any countenance : and this brought that universal terror with it (as will appear to the life in the process of this relation) upon those of nearest relation to the king's service, as well as those at a greater distance, who clearly discerned and detested the villainy and wickedness of those transactions, that their wariness and wisdom could not be great enough to preserve them, if they did not stupidly look on without seeming to understand what they could in no degree control or prevent.

In all conspiracies there must be great secrecy, consent, and union ; yet it can hardly be conceived, with what entire confidence in each other the numerous proud and indigent nobility of Scotland (for of the common people, who are naturally slaves to the other, there can be no wonder) concurred in the carrying on this rebellion : their strange condescension and submission to their ignorant and insolent clergy, who were to have great authority, because they were to inflame all sorts of men upon the obligations of conscience ; and in order there-



unto, and to revenge a little indiscretion and ill manners of some of the bishops, had liberty to erect a tribunal the most tyrannical over all sorts of men, and in all the families of the kingdom: so that the preacher reprehended the husband, governed the wife, chastised the children, and insulted over the servants, in the houses of the greatest men. They referred the managery and conduct of the whole affair to a committee of a few, who had never before exercised any office or authority in the public, with that perfect resignation and obedience, that nobody presumed to inquire what was to be done, or to murmur at or censure any thing that was done; and the general himself, and the martial affairs, were subject to this regimen and discipline as well as the civil: yet they who were intrusted with this superiority, paid all the outward respect and reverence to the person of the general, as if the sole power and disposal had been in him alone.

The few English (for there were yet but very few who were intrusted from the beginning of the enterprise, and with all that was then projected) were men of reserved and dark natures, of great industry and address, and of much reputation for probity and integrity of life, and who trusted none but those who were contented to be trusted to that degree as they were willing to trust them, without being inquisitive into more than they were ready to communicate, and for the rest depended upon their discretion and judgment; and so prepared and disposed, by second and third hands, many to concur and contribute to many preparatory actions, who would never have consented to those conclusions which naturally resulted from those premises.

This united strength, and humble and active temper, was not encountered by an equal providence and circumspection in the king's councils, or an equal temper and dutiful disposition in the court; nor did they, who resolved honestly and stoutly to discharge the offices of good servants and good subjects to the utmost opposition of all unlawful attempts, communicate their purposes to

men of the same integrity, that so they might unite their counsels as well in the manner and way, as their resolutions in the end. But every one thought it enough to preserve his own innocence, and to leave the rest to those who should have authority to direct. The king was perplexed and irresolute, and, according to his natural constitution, (which never disposed him to jealousy of any man of whom he had once thought well,) was full of hope, that his condition was not so bad as it seemed to be. The queen, how much troubled soever, wished much better to the earl of Holland, than to the archbishop, or the earl of Strafford, neither of them being in any degree acceptable to her; so that she was little concerned for the danger that threatened them: but when she saw the king's honour and dignity invaded in the prosecution, she withdrew her favour from the earl of Holland: but then she was persuaded, by those who had most credit with her, to believe, that, by the removal of the great ministers, her power and authority would be increased, and that the prevailing party would be willing to depend upon her; and that, by gratifying the principal persons of them with such preferments as they affected, she would quickly reconcile all ill humours; and so she hearkened to any overtures of that kind; which were always carried on without the consent or privity of those who were concerned, who in truth more disliked her absolute power with the king, than any other excess of the court, and looked upon it as the greatest grievance. Every man there considered only what application would be most like to raise his own fortune, or to do him harm with whom he was angry, and gave himself wholly up to those artifices which might promote either. To preserve themselves from the displeasure and censure of the parliament, and to render themselves gracious to those who were like to be powerful in it, was all men's business and solicitude. And in this very unequal and disproportioned condition and temper, was the king's and the Scottish army, the court and the country, when the parliament met.



THE

# HISTORY OF THE REBELLION, &c.

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## BOOK III.

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THE parliament met upon the third of November, 1640, with a fuller appearance than could be reasonably expected, from the short time for elections after the issuing out of the writs; inso-much as at the first [not] many members were absent. It had a sad and a melancholic aspect upon the first entrance, which presaged some unusual and unnatural events. The king himself did not ride with his accustomed equipage nor in his usual majesty to Westminster, but went privately in his barge to the parliament stairs, and so to the church, as if it had been to a return of a prorogued or adjourned parliament. And there was likewise an untoward, and in truth an unheard of accident, which brake many of the king's measures, and infinitely disordered his service, beyond a capacity of reparation. From the time the calling a parliament was resolved upon, the king designed sir Thomas Gardiner, who was recorder of London, to be speaker in the house of commons; a man of gravity and quickness, that had somewhat of authority and gracefulness in his person and presence, and in all respects equal to the service. There was little doubt but that he would be chosen to serve in one of the four places for the city of London, which had very rarely rejected their recorder upon that occasion; and lest that should fail, diligence was used in one or two other places that he might be elected. The opposition was so great, and the faction so strong, to hinder his being elected in the city, that four others were chosen for that service, without hardly mentioning his name: nor was there less industry used to prevent his being chosen in other places; clerks were corrupted not to make out the writs for one place, and ways were found to hinder the writ from being executed in another, time enough for the return before the meeting: so great a fear there was, that a man of entire affections to the king, and of prudence enough to manage those affections, and to regulate the contrary, should be put into that chair. So that the very morning the parliament was to meet, and when the king intended to go thither, he was informed, that sir Thomas Gardiner was not returned to serve as a member in the house of commons, and so was not capable of being chosen to be speaker; so that his majesty deferred his going to the house till the afternoon, by which time he was to think of another speaker.

Upon the perusal of all the returns into the crown office, there were not found many lawyers of eminent name, (though many of them proved very eminent men afterwards,) or who had served long in former parliaments, the experience whereof was to be wished; and men of that profession had been always thought the most proper for that service, and the putting it out of that channel at that time was thought too hazardous; so that, after all the deliberation that time would admit, Mr. Lenthall, a bencher of Lincoln's Inn, (a lawyer of competent practice, and no ill reputation for his affection to the government both of church and state,) was pitched upon by the king, and with very great difficulty rather prevailed with than persuaded to accept the charge. And no doubt a worse could not have been deputed of all that profession who were then returned; for he was a man of a very narrow, timorous nature, and of no experience or conversation in the affairs of the kingdom, beyond what the very drudgery in his profession (in which all his design was to make himself rich) engaged him in. In a word, he was in all respects very unequal to the work; and not knowing how to preserve his own dignity, or to restrain the license and exorbitance of others, his weakness contributed as much to the growing mischiefs, as the malice of the principal contrivers. However, after the king had that afternoon commended the distracted condition of the kingdom (with too little majesty) to the wisdom of the two houses of parliament, to have such reformation and remedies applied as they should think fit, proposing to them, as the best rule for their counsels, "that all things should be reduced to the practice of the time of queen Elizabeth:" the house of commons no sooner returned to their house, than they chose Mr. Lenthall to be their speaker; and two days after, with the usual ceremonies and circumstances, presented him to the king, who declared his acceptance; and so both houses were ready for their work.

There was observed a marvellous elated countenance in most of the members of parliament before they met together in the house; the same men who six months before were observed to be of very moderate tempers, and to wish that gentle remedies might be applied, without opening the wound too wide, and exposing it to the air, and rather to cure what was amiss than too strictly to make inquisition into the causes and original of the malady,

talked now in another dialect both of things and persons. Mr. Hyde, who was returned to serve for a borough in Cornwall, met Mr. Pym in Westminster-hall some days before the parliament, and conferring together upon the state of affairs, the other told him, Mr. Hyde, "that they must now be of another temper than they were the last parliament; that they must not only sweep the house clean below, but must pull down all the cobwebs which hung in the top and corners, that they might not breed dust, and so make a foul house hereafter; that they had now an opportunity to make their country happy, by removing all grievances, and pulling up the causes of them by the roots, if all men would do their duties;" and used much other sharp discourse to him to the same purpose: by which it was discerned, that the warmest and boldest counsels and overtures would find a much better reception than those of a more temperate allay; which fell out accordingly: and the very first day they met together, in which they could enter upon business, Mr. Pym, in a long, formed discourse, lamented the miserable state and condition of the kingdom, aggravated all the particulars which had been done amiss in the government, as "done and contrived maliciously, and upon deliberation, to change the whole frame, and to deprive the nation of all the liberty and property which was their birthright by the laws of the land, which were now no more considered, but subjected to the arbitrary power of the privy-council, which governed the kingdom according to their will and pleasure; these calamities falling upon us in the reign of a pious and virtuous king, who loved his people, and was a great lover of justice." And thereupon enlarging in some specious commendation of the nature and goodness of the king, that he might wound him with less suspicion, he said, "We must inquire from what fountain these waters of bitterness flowed; what persons they were who had so far insinuated themselves into his royal affections, as to be able to pervert his excellent judgment, to abuse his name, and wickedly apply his authority to countenance and support their own corrupt designs. Though he doubted there would be many found of this classis, who had contributed their joint endeavours to bring this misery upon the nation; yet he believed there was one more signal in that administration than the rest, being a man of great parts and contrivance, and of great industry to bring what he designed to pass; a man, who in the memory of many present had sat in that house an earnest vindicator of the laws, and a most zealous assertor and champion for the liberties of the people; but that it was long since he turned apostate from those good affections, and, according to the custom and nature of apostates, was become the greatest enemy to the liberties of his country, and the greatest promoter of tyranny that any age had produced;" and then named "the earl of Strafford, lord lieutenant of Ireland, and lord president of the council established in York, for the northern parts of the kingdom: who, he said, had in both places, and in all other provinces wherein his service had been used by the king, raised ample monuments of his tyrannical nature; and that he believed, if they took a short survey of his actions and behaviour, they would find him the principal

"author and promoter of all those counsels which had exposed the kingdom to so much ruin;" and so instanced some high and imperious actions done by him in England and in Ireland, some proud and over-confident expressions in discourse, and some passionate advices he had given in the most secret councils and debates of the affairs of state; adding some lighter passages of his vanity and amours; that they who were not inflamed with anger and detestation against him for the former, might have less esteem and reverence for his prudence and discretion: and so concluded, "That they would well consider how to provide a remedy proportionable to the disease, and to prevent the farther mischiefs which they were to expect from the continuance of this great man's power and credit with the king, and his influence upon his counsels."

From the time that the earl of Strafford was named, most men believed that there would be some committee named to receive information of all his miscarriages, and that, upon report thereof, they would farther consider what course to take in the examination and prosecution thereof: but they had already prepared and digested their business to a riper period.

Mr. Pym had no sooner finished his discourse, than sir John Clotworthy (a gentleman of Ireland, and utterly unknown in England, who was, by the contrivance and recommendation of some powerful persons, returned to serve for a borough in Devonshire, that so he might be enabled to act this part against the lord lieutenant) made a long and confused relation "of his tyrannical carriage in that kingdom; of the army he had raised there to invade Scotland; how he had threatened the parliament, if they granted not such supplies as he required; of an oath he had framed to be administered to all the Scottish nation which inhabited that kingdom, and his severe proceedings against some persons of quality who refused to take that oath; and that he had with great pride and passion publicly declared at his leaving that kingdom, If ever he should return to that sword, he would not leave a Scottish-man to inhabit in Ireland:" with a multitude of very exalted expressions, and some very high actions in his administration of that government, in which the lives as well as the fortunes of men had been disposed of out of the common road of justice: all which made him to be looked upon as a man very terrible, and under whose authority men would not choose to put themselves.

Several other persons appearing ready to continue the discourse, and the morning being spent, so that, according to the observation of parliament hours, the time of rising being come, an order was suddenly made, "that the door should be shut, and nobody suffered to go out of the house;" which had been rarely practised: care having been first taken to give such advertisement to some of the lords, that that house might likewise be kept from rising; which would very much have broken their measures.

Then sir John Hotham, and some other Yorkshire men, who had received some disobligation from the earl in the country, continued the invective, mentioning many particulars of his imperious carriage, and that he had, in the face of the country, upon the execution of some illegal commission,

declared, "that they should find the little finger of the king's prerogative heavier upon them than the loins of the law;" which expression, though upon after-examination it was found to have a quite contrary sense, marvellously increased the passion and prejudice towards him.

In conclusion, after many hours of bitter inveighing, and ripping up the course of his life before his coming to court, and his actions after, it was moved, according to the secret resolution taken before, "that he might be forthwith impeached of high treason;" which was no sooner mentioned, than it found an universal approbation and consent from the whole [house]: nor was there, in the whole debate, one person who offered to stop the torrent by any favourable testimony concerning the earl's carriage, save only that the lord Falkland, (who was very well known to be far from having any kindness for him,) when the proposition was made for the present accusing him of high treason, modestly desired the house to consider, "Whether it would not suit better with the gravity of their proceedings, first to digest many of those particulars, which had been mentioned, by a committee? declaring himself to be abundantly satisfied that there was enough to charge him before they sent up to accuse him:" which was very ingenuously and frankly answered by Mr. Pym, "That such a delay might probably blast all their hopes, and put it out of their power to proceed farther than they had done already; that the earl's power and credit with the king, and with all those who had most credit with king or queen, was so great, that when he should come to know that so much of his wickedness was discovered, his own conscience would tell him what he was to expect; and therefore he would undoubtedly procure the parliament to be dissolved, rather than undergo the justice of it, or take some other desperate course to preserve himself, though with the hazard of the kingdom's ruin: whereas, if they presently sent up to impeach him of high treason before the house of peers, in the name and on the behalf of all the commons of England, who were represented by them, the lords would be obliged in justice to commit him into safe custody, and so sequester him from resorting to council, or having access to his majesty: and then they should proceed against him in the usual form with all necessary expedition."

To those who were known to have no kindness for him, and seemed to doubt whether all the particulars alleged, being proved, would amount to high treason, it was alleged, "That the house of commons were not judges, but only accusers, and that the lords were the proper judges whether such a complication of enormous crimes in one person did not amount to the highest offence the law took notice of, and therefore that it was fit to present it to them." These reasons of the haste they made, so clearly delivered, gave that universal satisfaction, that, without farther considering the injustice and unreasonableness of it, they voted unanimously, (for aught appeared to the contrary by any avowed contradiction,) "That they would forthwith send up to the lords, and accuse the earl of Strafford of high treason, and several other crimes and misdemeanours, and desire that he might be presently sequestered from [the] council, and committed to safe custody;" and

Mr. Pym was made choice of for the messenger to perform that office. And this being determined, the doors were opened, and most of the house accompanied him on the errand.

It was about three of the clock in the afternoon, when the earl of Strafford, (being infirm, and not well disposed in his health, and so not having stirred out of his house that morning,) hearing that both houses still sat, thought fit to go thither. It was believed by some (upon what ground was never clear enough) that he made that haste then to accuse the lord Say, and some others, of having induced the Scots to invade the kingdom: but he was scarce entered into the house of peers, when the message from the house of commons was called in, and when Mr. Pym at the bar, and in the name of all the commons of England, impeached Thomas earl of Strafford (with the addition of all his other titles) of high treason, and several other heinous crimes and misdemeanours, of which he said the commons would in due time make proof in form; and in the mean time desired in their name, that he might be sequestered from all councils, and be put into safe custody; and so withdrawing, the earl was, with more clamour than was suitable to the gravity of that supreme court, called upon to withdraw, hardly obtaining leave to be first heard in his place, which could not be denied him.

And he then lamented "his great misfortune to lie under so heavy a charge; professed his innocence and integrity, which he made no doubt he should make appear to them; desired that he might have his liberty, until some guilt should be made appear; and desired them to consider, what mischief they should bring upon themselves, if upon such a general charge, without the mention of any one crime, a peer of the realm should be committed to prison, and so deprived of his place in that house, where he was summoned by the king's writ to assist in their counsel; and of what consequence such a precedent might be to their own privilege and birthright:" and then withdrew. And with very little debate the peers resolved "that he should be committed to the custody of the gentleman usher of the black-rod, there to remain until the house of commons should bring in a particular charge against him:" which determination of the house was pronounced to him at the bar upon his knees, by the lord keeper of the great seal, upon the woolsack: and so being taken away by Maxwell, gentleman usher, Mr. Pym was called in, and informed what the house had done; after which (it being then about four of the clock) both houses adjourned till the next day.

When this work was so prosperously over, they began to consider, that notwithstanding all the industry that had been used to procure such members to be chosen, or returned though not chosen, who had been most refractory to the government of the church and state; yet that the house was so constituted, that when the first heat (which almost all men brought with them) should be a little allayed, violent counsels would not be long hearkened to: and therefore, as they took great care by their committee of elections to remove as many of those members as they suspected not to be inclinable to their passions upon pretence "that they were not regularly chosen," that so they might

bring in others more compliable in their places ; in which no rules of justice was so much as pretended to be observed by them ; insomuch as it was often said by leading men amongst them, " That they ought in those cases of elections to be guided by the fitness and worthiness of the person, whatever the desire of those was, in whom the right of election remained ;" and therefore one man hath been admitted upon the same rule by which another hath been rejected : so they declared, " That no person, how lawfully and regularly soever chosen and returned, should be and sit as a member with them, who had been a party or a favourer of any project, or who had been employed in any illegal commission."

And by this means (contrary to the custom and rights of parliament) many gentlemen of good quality were removed, in whose places commonly others were chosen of more agreeable dispositions : but in this likewise there was no rule observed ; for no person was hereby removed, of whom there was any hope that he might be applied to the violent courses which were intended. Upon which occasion the king charged them in one of his declarations, " that when, under that notion of projectors, they expelled many, they yet never questioned sir Henry Mildmay, or Mr. Laurence Whitaker ;" who had been most scandalously engaged in those pressures, though since more scandalously in all enterprises against his majesty ; to which never any answer or reply was made.

The next art was to make the severity and rigour of the house as formidable as was possible, and to make as many men apprehend themselves obnoxious to the house, as had been in any trust or employment in the kingdom. Thus they passed many general votes concerning ship-money, in which all who had been high-sheriffs, and so collected it, were highly concerned. The like sharp conclusions [were made] upon all lords lieutenants and their deputies, which were the prime gentlemen of quality in all the counties of England. Then upon some disquisition of the proceedings in the star-chamber, and at the council-table, all who concurred in such a sentence, and consented to such an order, were declared criminous, and to be proceeded against. So that, in a moment, all the lords of the council, all who had been deputy lieutenants, or high sheriffs, during the late years, found themselves within the mercy of these grand inquisitors : and hearing new terms of art, that a complication of several misdemeanours might grow up to treason, and the like, it was no wonder if men desired by all means to get their favour and protection.

When they had sufficiently startled men by these proceedings, and upon half an hour's debate sent up an accusation against the lord archbishop of Canterbury of high treason, and so removed him likewise from the king's council, they rested satisfied with their general rules, votes, and orders, without making haste to proceed either against things or persons ; being willing rather to keep men in suspense, and to have the advantage of their fears, than, by letting them see the worst that could befall them, lose the benefit of their application. For this reason they used their utmost skill to keep off any debate of ship-money, that that whole business might hang like a meteor over the heads of those that were in any degree

faulty in it ; and it was observable, when, notwithstanding all their diversions, that business was brought into debate, and upon that (which could not be avoided) the lord Finch named as an avowed factor and procurer of that odious judgment ; who, if their rule were true, " that an endeavour to alter the government by law, and to introduce an arbitrary power, were treason," was the most notoriously and inexcusably guilty of that crime of any man that could be named ; before they would endure the mention of an accusation of high treason, they appointed a committee, with great deliberation and solemnity, to bring in a charge formally prepared, (which had not been done in the case of the lord archbishop, or the earl of Strafford,) and then gave him a day to be heard for himself at the house of commons' bar, and so, against all order, to take notice of what was handled in the house concerning him ; and then finding that, by their own rules, he would be likewise accused of high treason, they continued the debate so long, that the lords' house was risen, so that the accusation was not carried up till the next morning ; and before that time, the lord keeper (being well informed of all that had passed) had withdrawn himself ; and shortly after went into Holland : the lord Littleton, then chief justice of the court of common pleas, being made keeper of the great seal of England in his place.

About the same time, sir Francis Windebank, one of the principal secretaries of state, and then a member of the house of commons, was accused of many transactions on the behalf of the papists, of several natures, (whose extraordinary patron indeed he was,) and he being then present in the house, several warrants under his own hand were produced for the discharge of prosecutions against priests, and for the release of priests out of prison : whereupon, whilst the matter should be debated, according to custom he was ordered to withdraw, and so went into the usual place, the committee-chamber ; immediately whereupon, the house of commons went to a conference with the lords upon some other occasion, and returning from that conference, no more resumed the debate of the secretary ; but having considered some other business, rose at their usual hour ; and so the secretary had liberty to go to his own house ; from whence, observing the disposition of the house, and well knowing what they were able to say against him, he had no more mind to trust himself in that company, but the same night withdrew himself from any place where inquiry might be made for him, and was no more heard of till the news came of his being landed in France.

So that within less than six weeks, for no more time was yet elapsed, these terrible reformers had caused the two greatest counsellors of the kingdom, and whom they most feared, and so hated, to be removed from the king, and imprisoned, under an accusation of high treason ; and frightened away the lord keeper of the great seal of England, and one of the principal secretaries of state, into foreign kingdoms, for fear of the like ; besides the preparing all the lords of the council, and very many of the principal gentlemen throughout England, who (as was said before) had been high sheriffs, and deputy lieutenants, to expect such measure of punishment from their general

votes and resolutions, as their future demeanour should draw upon them, for their past offences; by which means, they were like to find no very vigorous resistance or opposition in their farther designs.

I could never yet learn the reason, why they suffered secretary Windebank to escape their justice, (for the lord Finch, it was visible he was in their favour, and they would gladly have preserved him in the place,) against whom they had more pregnant testimony of offences within the verge of the law, than against any person they have accused since this parliament, and of some that, it may be, might have proved capital, and so their appetite of blood might have been satisfied: for, besides his frequent letters of intercession in his own name, and signification of his majesty's pleasure, on the behalf of papists and priests, to the judges, and to other ministers of justice; and protections granted by himself to priests, that nobody should molest them; he harboured some priests in his own house, knowing them to be such; which, by the statute made in the twenty-ninth year of queen Elizabeth, is made felony: and there were some warrants under his own hand for the release of priests out of Newgate, who were actually attainted of treason, and condemned to be hanged, drawn, and quartered; which, by the strict letter of the statute, the lawyers said, would have been very penal to him.

I remember one story brought into the house concerning him, that administered some mirth: A messenger, (I think his name was Newton,) who principally intended the service of apprehending priests, came one day to him in his garden, and told him, "that he had brought with him a priest, a stirring and active person, whom he had apprehended that morning; and desired to know to what prison he should carry him." The secretary sharply asked him, "Whether he would never give over this blood-thirsty humour?" and in great anger calling him knave, and taking the warrant from him by which he had apprehended him, departed without giving any other direction. The messenger, appalled, thought the priest was some person in favour, and therefore took no more care of him, but suffered him to depart. The priest, freed from this fright, went securely to his lodgings, and within two or three days was arrested for debt, and carried in execution to prison. Shortly after, secretary Windebank sent for the messenger, and asked him, "What was become of the priest he had at such a time brought before him?" He told him, "that he conceived his honour had been offended with the apprehension of him, and therefore he had looked no farther after him." The secretary in much passion told him, "the discharging a priest was no light matter; and that if he speedily found him not, he should answer the default with his life; that the priest was a dangerous fellow, and must not escape in that fashion." The messenger, besides his natural inclination to that exercise, terrified with those threats, left no means untried for the discovery, and at last heard where the man was in execution in prison: thither he went, and demanded the priest (who was not there known to be such) as his prisoner formerly, and escaped from him; and by virtue of his first warrant took him again into his cus-

tody, and immediately carried him to the secretary; and within few days after, the priest was discharged, and at liberty. The jailor, in whose custody he had been put for debt, was arrested by the parties grieved, and he again sued the messenger, who appealed for justice to the house of commons against the secretary.

And this case had been presented to the committee, and was ready to be reported, with all those warrants under his own hand before mentioned, at the time when secretary Windebank was in the house. Besides that, he was charged by the lords, by message or at a conference, for the breach of privilege at the dissolution of the last parliament, and signing warrants for the searching the studies and papers of some members; for which, according to the doctrine then received, he might have been put into the custody of the sergeant of the house. But as the last occasion was not laid hold of, because it would have inevitably involved his brother secretary, sir Harry Vane, who was under the same charge, and against whom indeed that charge was aimed: so, it seems, they were contented he should make an escape from any trial for the rest; either, because they thought his place would be sooner void by his flight than by his trial, which would have taken up some time, and required some formality, they [having] designed that place to Mr. Hollis; or, that they thought he would, upon any examination, draw in somewhat to the prejudice of sir Henry Vane, whom they were to protect: and so they were well content with his escape; so the house deferred the farther debate till the next morning, before which time he chose to retire, and transported himself into France.

Having made their first entrance upon business with this vigour, they proceeded every day with the same fervour; and he who expressed most warmth against the court and the government, was heard with the more favour; every day producing many formed elaborate orations against all the acts of state which had been done for many years preceding. That they might hasten the prosecution of the earl of Strafford, which was their first great design, they made a close committee of such members as they knew to be most for their purpose, who should, under an obligation of secrecy, prepare the heads of a charge against him; which had been never heard of before in parliament: and that they might be sure to do their business effectually, they sent a message to the house of peers, to desire them "to nominate a select committee likewise of a few, to examine upon oath such witnesses, as the committee of the house of commons for preparing the charge against the earl of Strafford should produce before them, and in their presence, and upon such interrogatories as they should offer;" which, though it was without precedent or example, the lords presently consented to, and named such men as knew well what they had to do. Then they caused petitions to be every day presented, by some who had been grieved by any severe sentences, in the star-chamber, or committed by the lords of the council, against lords lieutenants of counties, and their deputy lieutenants, for having levied money upon the country, for conducting and clothing of soldiers, and other actions of a martial nature, (which had been always done by those officers so qualified,

from the time of queen Elizabeth, and was practised throughout her reign,) and against sheriffs, for having levied ship-money. Upon all which petitions (the matter being pressed and aggravated still upon every particular by some member of note and authority, upon which) all the acts how formal and judicial soever, and without so much as hearing the sentences or judgments read, were voted "to be illegal, and against the liberty and property of the subject; and that all who were guilty of such proceedings should be proceeded against for their presumption, and should likewise pay damages to the persons injured."

By which general votes (all passed within three or four days after the sitting of the parliament) they had made themselves so terrible, that all privy-counsellors, as well for what they had done at the board, as in the star-chamber; (where indeed many notable sentences had passed, with some excess in the punishment;) all lords lieutenants, who for the most part were likewise counsellors, whereof all were of the house of peers; and then all who were deputy lieutenants, or had been sheriffs since the first issuing out of writs for the collection of ship-money, whereof very many were then of the house of commons; found themselves involved under some of those votes, and liable to be proceeded against upon the first provocation; whereby they were kept in such awe, both in the one house and the other, as if they were upon their good behaviour, that they durst not appear to dislike, much less to oppose, whatsoever they proposed.

All persons imprisoned for sedition by the star-chamber upon the most solemn examination and the most grave deliberation, were set at liberty, that they might prosecute their appeals in parliament. In the mean time, though there were two armies in the bowels of the kingdom, at the monthly expense of no less than one hundred and fifty thousand pounds, care was taken only to provide money to pay them, without the least mention that the one should return into Scotland, and the other be disbanded, that so that vast expense might be determined; but, on the contrary, frequent insinuations were given, "that many great things were first to be done before the armies disbanded;" only they desired the king, "that all papists might be forthwith cashiered out of his army," which his majesty could not deny; and so some officers of good account were immediately dismissed.

It will not be impertinent nor unnatural to this present discourse, to set down in this place the present temper and constitution of both houses of parliament, and of the court itself, that it may be the less wondered at, that so prodigious an alteration should be made in so short a time, and the crown fallen so low, that it could neither support itself and its own majesty, nor them who would appear faithful to it.

Of the house of peers, the great contrivers and designers were—The earl of Bedford, a wise man, and of too great and plentiful a fortune to wish a subversion of the government; and it quickly appeared, that he only intended to make himself and his friends great at court, not at all to lessen the court itself.

The lord viscount Say, a man of a close and reserved nature, of a mean and a narrow fortune, of great parts, and of the highest ambition, but whose

ambition would not be satisfied with offices and preferment, without some condescensions and alterations in ecclesiastical matters. He had for many years been the oracle of those who were called puritans in the worst sense, and steered all their counsels and designs. He was a notorious enemy to the church, and to most of the eminent churchmen, with some of whom he had particular contests. He had always opposed and contradicted all acts of state, and all taxes and impositions, which were not exactly legal, and so had as eminently and as obstinately refused the payment of ship-money as Mr. Hambden had done; though the latter, by the choice of the king's council, had brought his cause to be first heard and argued, with which judgment that was intended to conclude the whole right in that matter, and to overrule all other cases. The lord Say would not acquiesce, but pressed to have his own case argued, and was so solicitous in person with all the judges, both privately at their chambers, and publicly in the court at Westminster, that he was very grievous to them. His commitment at York the year before, because he refused to take an oath, or rather subscribe a protestation, against holding intelligence with the Scots, when the king first marched against them, had given him much credit. In a word, he had very great authority with all the discontented party throughout the kingdom, and a good reputation with many who were not [discontented,] who believed him to be a wise man and of a very useful temper, in an age of license, and one who would still adhere to the law.

The lord Mandevile, eldest son to the lord privy-seal, was a person of great civility, and very well bred, and had been early in the court under the favour of the duke of Buckingham, a lady of whose family he had married: he had attended upon the prince when he was in Spain, and had been called to the house of peers in the lifetime of his father, [by the name of the lord Kimbolton,] which was a very extraordinary favour. Upon the death of the duke of Buckingham, his wife being likewise dead, he married the daughter of the earl of Warwick; a man in no grace at court, and looked upon as the greatest patron of the puritans, because of much the greatest estate of all who favoured them, and so was esteemed by them with great application and veneration: though he was of a life very licentious, and unconformable to their professed rigour, which they rather dispensed with, than to withdraw from a house where they received so eminent a protection, and such notable bounty. From this latter marriage the lord Mandevile totally estranged himself from the court, and upon all occasions appeared enough to dislike what was done there, and engaged himself wholly in the conversation of those who were most notoriously of that party, whereof there was a kind of fraternity of many persons of good condition, who chose to live together in one family, at a gentleman's house of a fair fortune, near the place where the lord Mandevile lived; whither others of that class likewise resorted, and maintained a joint and mutual correspondence and conversation together with much familiarity and friendship: that lord, to support and the better to improve that popularity, living at a much higher rate than the narrow exhibition allowed to him by his wary father could justify, making up the rest by contracting a great debt, which long lay heavy upon him; by which generous way of living, and

by his natural civility, good manners, and good nature, which flowed towards all men, he was universally acceptable and beloved; and no man more in the confidence of the discontented and factious party than he, and [none] to whom the whole mass of their designs, as well what remained in chaos as what was formed, was more entirely communicated, and more consulted with. And therefore these three lords are nominated as the principal agents in the house of peers, (though there were many there of quality and interest much superior to either of them,) because they were principally and absolutely trusted by those who were to manage all in the house of commons, and to raise that spirit which was upon all occasions to inflame the lords. Yet [it] being enough known and understood, that, how indisposed and angry soever many of them at present appeared to be, there would be still a major part there, who would, if they were not overreached, adhere to the king and the established government, and therefore these three persons were trusted without reserve, and relied upon so to steer, as might increase their party by all the arts imaginable; and they had dexterity enough to appear to depend upon those lords, who were looked upon as greater, and as popular men; and to be subservient to their purposes, whom in truth they governed and disposed of.

And by these artifices, and applications to his vanity, and magnifying the general reputation and credit he had with the people, and sharpening the sense he had of his late ill treatment at court, they fully prevailed [upon], and possessed themselves of the earl of Essex; who, though he was no good speaker in public, yet, having sat long in parliament, and so well acquainted with the order of it in very active times, he was a better speaker there than any where else, and being always heard with attention and respect, had much authority in the debates. Nor did he need any incitement (which made all approaches to him the more easy) to do any thing against the persons of the lord archbishop of Canterbury and the lord lieutenant of Ireland, towards whom he professed a full dislike; who were the only persons against whom there was any declared design, and the Scots having in their manifesto demanded justice against those two great men, as the cause of the war between the nations. And in this prosecution there was too great a concurrence: Warwick, Brook, Wharton, Paget, Howard, and some others, implicitly followed and observed the dictates of the lords mentioned before, and started or seconded what they were directed.

In the house of commons were many persons of wisdom and gravity, who being possessed of great and plentiful fortunes, though they were undevoted enough to the court, had all imaginable duty for the king, and affection to the government established by law or ancient custom; and without doubt, the major part of that body consisted of men who had no mind to break the peace of the kingdom, or to make any considerable alteration in the government of church or state: and therefore all inventions were set on foot from the beginning to work on them, and corrupt them, by suggestions "of the dangers which threatened all that was precious to the subject in their liberty and their property, by overthrowing or overmastering the law, and subjecting it to an arbitrary power, and by countenancing popery to the subversion of the pro-

"testant religion;" and then, by infusing terrible apprehensions into some, and so working upon their fears "of being called in question for some-what they had done," by which they would stand in need of their protection; and raising the hopes of others, "that, by concurring with them, they should be sure to obtain offices, and honours, and any kind of preferment." Though there were too many corrupted and misled by these several temptations, and others who needed no other temptations than from the fierceness and barbarity of their own natures, and the malice they had contracted against the church and against the court; yet the number was not great of those in whom the government of the rest was vested, nor were there many who had the absolute authority to lead, though there were a multitude that was disposed to follow.

Mr. Pym was looked upon as the man of greatest experience in parliament, where he had served very long, and was always a man of business, being an officer in the exchequer, and of a good reputation generally, though known to be inclined to the puritan party; yet not of those furious resolutions against the church as the other leading men were, and wholly devoted to the earl of Bedford, who had nothing of that spirit.

Mr. Hambden was a man of much greater cunning, and it may be of the most discerning spirit, and of the greatest address and insinuation to bring any thing to pass which he desired, of any man of that time, and who laid the design deepest. He was a gentleman of a good extraction, and a fair fortune, who, from a life of great pleasure and license, had on a sudden retired to extraordinary sobriety and strictness, and yet retained his usual cheerfulness and affability; which, together with the opinion of his wisdom and justice, and the courage he had shewed in opposing the ship-money, raised his reputation to a very great height, not only in Buckinghamshire, where he lived, but generally throughout the kingdom. He was not a man of many words, and rarely begun the discourse, or made the first entrance upon any business that was assumed; but a very weighty speaker, and after he had heard a full debate, and observed how the house was like to be inclined, took up the argument, and shortly, and clearly, and craftily, so stated it, that he commonly conducted it to the conclusion he desired; and if he found he could not do that, he never was without the dexterity to divert the debate to another time, and to prevent the determining any thing in the negative, which might prove inconvenient in the future. He made so great a show of civility, and modesty, and humility, and always of mistrusting his own judgment, and of esteeming his with whom he conferred for the present, that he seemed to have no opinions or resolutions, but such as he contracted from the information and instruction he received upon the discourses of others, whom he had a wonderful art of governing, and leading into his principles and inclinations, whilst they believed that he wholly depended upon their counsel and advice. No man had ever a greater power over himself, or was less the man that he seemed to be, which shortly after appeared to every body, when he cared less to keep on the mask.

Mr. Saint-John, who was in a firm and entire conjunction with the other two, was a lawyer of Lincoln's Inn, known to be of parts and industry, but not taken notice of for practice in Westminster-



hall, till he argued at the exchequer-chamber the case of ship-money on the behalf of Mr. Hambden; which gave him much reputation, and called him into all courts, and to all causes, where the king's prerogative was most contested. He was a man reserved, and of a dark and clouded countenance, very proud, and conversing with very few, and those, men of his own humour and inclinations. He had been questioned, committed, and brought into the star-chamber, many years before, with other persons of great name and reputation, (which first brought his name upon the stage,) for communicating some paper among themselves, which some men had a mind at that time to have extended to a design of sedition: but it being quickly evident that the prosecution would not be attended with success, they were all shortly after discharged; but he never forgave the court the first assault, and contracted an implacable displeasure against the church purely from the company he kept. He was of an intimate trust with the earl of Bedford, to whom he was allied, (being a natural son of the house of Bullingbrook,) and by him brought into all matters where himself was to be concerned. It was generally believed, that these three persons, with the other three lords mentioned before, were of the most intimate and entire trust with each other, and made the engine which moved all the rest; yet it was visible, that Nathaniel Fiennes, the second son of the lord Say, and sir Harry Vane, eldest son to the secretary, and treasurer of the house, were received by them with full confidence and without reserve.

The former, being a man of good parts of learning, and after some years spent in New college in Oxford, of which his father had been formerly fellow, (that family pretending and enjoying many privileges there, as of kin to the founder,) had spent his time abroad, in Geneva and amongst the cantons of Switzerland, where he improved his disinclination to the church, with which milk he had been nursed. From his travels he returned through Scotland (which few travellers took in their way home) at the time when that rebellion was in the bud; and was very little known, except amongst that people, which conversed wholly amongst themselves, until he was now found in parliament, when it was quickly discovered, that as he was the darling of his father, so that he was like to make good whatsoever he had for many years promised.

The other, sir Harry Vane, was a man of great natural parts, and of very profound dissimulation, of a quick conception, and very ready, sharp, and weighty expression. He had an unusual aspect, which, though it might naturally proceed both from his father and mother, neither of which were beautiful persons, yet made men think there was somewhat in him of extraordinary; and his whole life made good that imagination. Within a very short time after he returned from his studies in Magdalen college in Oxford, where, though he was under the care of a very worthy tutor, he lived not with great exactness, he spent some little time in France, and more in Geneva; and, after his return into England, contracted a full prejudice and bitterness against the church, both against the form of the government, and the liturgy, which was generally in great reverence, even with many of those who were not friends to the other. In this giddiness, which then much displeased, or seemed to displease, his father, who still appeared highly conformable, and exceedingly sharp against those who were not, he trans-

ported himself into New England, a colony within few years before planted by a mixture of all religions, which disposed the professors to dislike the government of the church; who were qualified by the king's charter to choose their own government and governors, under the obligation, "that every man should take the oaths of allegiance and supremacy;" which all the first planters did, when they received their charter, before they transported themselves from hence, nor was there in many years after the least scruple amongst them of complying with those obligations; so far men were, in the infancy of their schism, from refusing to take lawful oaths. He was no sooner landed there, but his parts made him quickly taken notice of, and very probably his quality, being the eldest son of a privy-counsellor, might give him some advantage; inasmuch that, when the next season came for the election of their magistrates, he was chosen their governor: in which place he had so ill fortune (his working and unquiet fancy raising and infusing a thousand scruples of conscience, which they had not brought over with them, nor heard of before) that he unsatisfied with them, and they with him, he transported himself into England; having sowed such seed of dissension there, as grew up too prosperously, and miserably divided the poor colony into several factions, and divisions, and persecutions of each other, which still continue to the great prejudice of that plantation: inasmuch as some of them, upon the ground of their first expedition, liberty of conscience, have withdrawn themselves from their jurisdiction, and obtained other charters from the king, by which, in other forms of government, they have enlarged their plantation, within new limits adjacent to the other. He was no sooner returned into England, than he seemed to be much reformed in those extravagancies, and, with his father's approbation and direction, married a lady of a good family, and by his father's credit with the earl of Northumberland, who was high admiral of England, was joined presently and jointly with sir William Russel in the office of treasurer of the navy, (a place of great trust and profit,) which he equally shared with the other, and seemed a man well satisfied and composed to the government. When his father received the disobligation from the lord Strafford, by his being created baron of Raby, the house and land of Vane, (and which title he had promised himself, which was unluckily cast upon him, purely out of contempt,) they sucked in all the thoughts of revenge imaginable; and from thence he betook himself to the friendship of Mr. Pym, and all other discontented or seditious persons, and contributed all that intelligence (which will be hereafter mentioned, as he himself will often be) that designed the ruin of the earl, and which grafted him in the entire confidence of those who promoted the same; so that nothing was concealed from him, though it is believed that he communicated his own thoughts to very few.

Denzil Hollis, the younger son and younger brother of the earls of Clare, was as much valued and esteemed by the whole party, as any man; as he deserved to be, being a man of more accomplished parts than any of them, and of great reputation by the part he acted against the court and the duke of Buckingham, in the parliament of the fourth year of the king, (the last parliament that had been before the short one in April,) and his



long imprisonment, and sharp prosecution afterwards, upon that account; of which he retained the memory with acrimony enough. But he would in no degree intermeddle in the counsel or prosecution of the earl of Strafford, (which he could not prevent,) who had married his sister, by whom all his children were, which made him a stranger to all those consultations, though it did not otherwise interrupt the friendship he had with the most violent of those prosecutors. In all other contrivances he was in the most secret counsels with those who most governed, and respected by them with very submissive applications as a man of authority. Sir Gilbert Gerrard, the lord Digby, Strode, Haslerig; and the northern gentlemen, who were most angry with the earl, or apprehensive of their own being in the mercy of the house, as Hotham, Cholmely, and Stapleton; with some popular lawyers of the house, who did not suspect any wickedness in design, and so became involved by degrees in the worst, observed and pursued the dictates and directions of the other, according to the parts which were assigned to them upon emergent occasions: whilst the whole house looked on with wonder and amazement, without one man's interposing to allay the passion and the fury with which so many were transported.

This was the present temper and constitution of both houses of parliament upon their first coming together, when (as Tacitus says of the Jews, "that they exercised the highest offices of kindness and friendship towards each other, *et adversus omnes alios hostile odium*") they watched all those who they knew were not of their opinions, nor like to be, with all possible jealousy; and if any of their elections could be brought into question, they were sure to be voted out of the house, and then all the artifices were used to bring in more sanctified members; so that every week increased the number of their party, both by new elections, and the proselytes they gained upon the old. Nor was it to be wondered at, for they pretended all public thoughts, and only the reformation of disapproved and odious enormities, and dissembled all purposes of removing foundations, which, though it was in the hearts of some, they had not the courage and confidence to communicate it.

The English and the Scottish armies remained quiet in their several quarters in the north, without any acts of hostility, under the obligation of the cessation, which was still prorogued from month to month, that the people might believe that a full peace would be quickly concluded. And the treaty, which during the king's being at York had been held at Rippon, being now adjourned to London, the Scottish commissioners (whereof the earl of Rothes, and the lord Lowden, who hath been mentioned before, were the chief) came thither in great state, and were received by the king with that countenance, which he could not choose but shew to them; and were then lodged in the heart of the city, near London-Stone, in a house which used to be inhabited by the lord mayor or one of the sheriffs, and was situate so near to the church of St. Antholine, (a place in all times made famous by some seditious lecturer,) that there was a way out of it into a gallery of that church. This benefit was well foreseen on all sides in the accommodation, and this church assigned to them for their own devotions, where one of their own chaplains still preached, amongst which Alexander Hender-

son was the chief, who was likewise joined with them in the treaty in all matters which had reference to religion: and to hear those sermons there was so great a conflux and resort, by the citizens out of humour and faction; by others of all quality out of curiosity; and by some that they might the better justify the contempt they had of them, that from the first appearance of day in the morning on every Sunday, to the shutting in of the light, the church was never empty. They (especially the women) who had the happiness to get into the church in the morning (they who could not, hung upon or about the windows without, to be auditors or spectators) keeping their places till the afternoon's exercise was finished, which both morning and afternoon, except to palates and appetites ridiculously corrupted, was the most insipid and flat that could be delivered upon any deliberation.

The earl of Rothes had been the chief architect of that whole machine from the beginning, and was a man very well bred, of very good parts, and great address; in his person very acceptable, pleasant in conversation, very free and amorous, and unrestrained in his discourse by any scruples of religion, which he only put on when the part he was to act required it, and then no man could appear more conscientiously transported. There will be sometimes occasion to mention him hereafter, as already as much hath been said of the other, the lord Lowden, as is yet necessary.

They were no sooner come to the town, but a new committee of the members of both houses, such as were very acceptable to them, was appointed to renew and continue the treaty with them that had been begun at Rippon: and then they published and printed their declaration against the archbishop of Canterbury and the lieutenant of Ireland, in which they said, "That as they did reserve those of their own country who had been incendiaries between the two kingdoms to be proceeded against in their own parliament; so they desired no other justice to be done against these two criminal persons but what should seem good to the wisdom of the parliament."

It was easily discerned (by those who saw at any distance, and who had been long jealous of that trick) from that expression concerning *their own countrymen*, that they meant no harm to the marquis of Hamilton, against whom, in the beginning of the rebellion, all their bitterness seemed to be directed, and who indeed of all men had the least portion of kindness or good-will from the three nations, of any man who related to the king's service. But he had, by the friendship he had shewed to the lord Lowden, and procuring his liberty when he was in the Tower for so notorious a treason, and [was] to be in the head of another as soon as he should be at liberty; and by his application and dexterity at York in the meeting of the great council, and with the Scottish commissioners employed thither before the treaty; and by his promise of future offices and services, which he made good abundantly; procured as well from the English as the Scots all assurance of indemnity: which they so diligently made good, that they were not more solicitous to contrive and find out evidence or information against the other two great men, than they were to prevent all information or complaint, and to stifle all evidence which was offered or could be produced against the marquis.

And they were exceedingly vigilant to prevent

the Scottish commissioners entering into any familiarity or conversation with any who were not fast to their party: insomuch as one day the earl of Rothes walking in Westminster-hall with Mr. Hyde, towards whom he had [a] kindness by reason of their mutual friendship with some persons of honour, and they two walking towards the gate to take coach to make a visit together, the earl on a sudden desired the other "to walk towards the coach, and he would overtake him by the time he came thither:" but staying very long, he imagined he might be diverted from his purpose, and so walked back into the hall, where presently meeting him, they both pursued their former intention; and being in the coach, the earl told him, "that he must excuse his having made him stay so long, because he had been detained only concerning him; that when he was walking with him, a gentleman passing by touched his cloak, which made him desire the other to go before; and turning to the other person, he said, that seeing him walk in some familiarity with Mr. Hyde, he thought himself obliged to tell him, that he walked with the greatest enemy the Scottish nation had in the parliament, and that he ought to take heed how he communicated any thing of importance to him; and that after he was parted with that gentleman, before he could pass through the hall, four or five other eminent men, severally, gave him the same advertisement and caution;" and then spake as unconcernedly and as merrily of the persons and their jealousy as the other could do. Men who were so sagacious in pursuing their point were not like to miscarry.

The Scotch commissioners were in this time come to London, where they were magnificently entertained; and one of the best houses in the heart of the city assigned for their reception, the neighbour church for their devotion, whither so great a herd flocked on Sundays to hear Mr. Henderson and his fellow-chaplains, that very many came to and sat in the church from the time that it was light, that they might receive the comfort of those lectures, which were not till the afternoon; for in the morning their devotions were private. They were caressed by both houses with all possible expressions of kindness at least, if not of submission; and an order was carefully entered, "that upon all occasions the appellation should be used of *Our brethren of Scotland*;" and upon that, wonderful kind compliments passed, of a sincere resolution of amity and union between the two nations.

Things being thus constituted, it became them to satisfy the public expectation in the discovery of their new treasons, and in speedy proceedings against those two great persons. For the better preparing whereof, and facilitating whatever else should be necessary for that enterprise, the Scottish commissioners in the name of that nation presented (as is said before) two distinct declarations, against the persons of the archbishop and the earl of Strafford, stuffed with as much bitterness and virulency as can be imagined, making them "the odious incendiaries of the differences between the two nations, and the original causes of all those calamities in that kingdom which begat those differences, and most pathetically pressing for justice against them both." These discourses (for either of them consisted of many

sheets of paper) were publicly read in both houses; that against the archbishop of Canterbury was for the present laid aside, and I am persuaded, at that time, without any thought of resuming it, hoping that his age and imprisonment would have quickly freed them from farther trouble. But a speedy proceeding against the other was vehemently pressed, as of no less importance than the peace between the two kingdoms, not without some intimation, "that there could be no expectation that the Scottish army would ever retire into their country, and consequently that the king's could be disbanded, before exemplary justice were done upon that earl to their satisfaction." When they had inflamed men with this consideration sufficiently, they, without any great difficulty, (in order to the necessary expedition for that trial,) prevailed in two propositions of most fatal consequence to the king's service, and to the safety and integrity of all honest men.

The first, "for a committee to be settled of both houses for the taking preparatory examinations." Thus the allegation was, "That the charge against the earl of Strafford was of an extraordinary nature, being to make a treason evident out of a complication of several ill acts; that he must be traced through many dark paths, and this precedent seditious discourse compared with that subsequent outrageous action, the circumstances of both which might be equally considerable with the matter itself; and therefore that, before this charge could be so directly made and prepared as was necessary," (for he was hitherto only accused generally of treason,) "it was requisite, that a committee should be made of both houses to examine some witnesses upon oath, upon whose depositions his impeachment would easily be framed." This was no sooner proposed in the house of commons, than consented to; and upon as little debate yielded to by the lords; and the committee settled accordingly: without considering that such an inquisition (besides that the same was most contrary to the rules of law or the practice of any former times) would easily prepare a charge against the most innocent man alive; where that liberty should be taken to examine a man's whole life; and all the light, and all the private discourses had passed from him, might be tortured, perverted, and applied, according to the conscience and the craft of a diligent and malicious prosecution.

The second was, "for the examining upon oath privy-counsellors, upon such matters as had passed at the council-table." The allegation for this was, "That the principal ingredient into the treason of which the earl was to be charged, was, a purpose to change the form of government; and, instead of that settled by law, to introduce a power merely arbitrary. Now this design must be made evident, as well by the advices which he gave, and the expressions he uttered upon emergent occasions, as by his public actions; and those could not be discovered, at least not proved, but by those who were present at such consultations, and they were only privy-counsellors." As it was alleged, "That at his coming from Ireland the earl had said in council there, That if he ever returned to that sword again, he would not leave a Scotchman in that kingdom: and at his arrival in this kingdom, the lord mayor and some aldermen of

"London attending the board about the loan of monies, and not giving that satisfaction was expected, that he should pull out a letter out of his pocket, and shew what course the king of France then took for the raising of money; and that he should tell the king, That it would never be well till he hanged up a lord mayor of London in the city to terrify the rest."

There was no greater difficulty to satisfy the house of commons with the reasonableness of this, than of the former; but the compassing it was not like to be so easy; for it was visible, that, though the lords should join with them, (which was not to be despaired,) the privy-counsellors would insist upon the oath they had taken, and pretend, "that without the king's consent they might not discover any thing that had passed at that board; so that the greatest difficulty would be, the procuring the king's consent for the betraying himself: but this must be insisted on, for God forbid that it might be safe for any desperate wicked counsellor to propose and advise at that board" (which in the intervals of parliaments wholly disposed the affairs of state) "courses destructive to the health and being of the kingdom; and that the sovereign physician, the parliament, (which had the only skill to cure those contagious and epidemical diseases,) should be hindered from preserving the public, because no evidence must be given of such corrupt and wicked counsels." And so provided with this specious oratory, they desire the lords "to concur with them for this necessary examination of privy-counsellors;" who, without much debate, (for the persons concerned knew well their acts were visible and public enough, and therefore considered not much what words had passed,) consented, and appointed some to attend the king for his consent: who, not well weighing the consequence, and being in public council unanimously advised "to consent to it; and that the not doing it would lay some taint upon his council, and be a tacit confession, that there had been agitations at that place which would not endure the light;" yielded that they should be examined: which was speedily done accordingly, by the committee of both houses appointed for that purpose.

The damage was not to be expressed, and the ruin that last act brought to the king was irreparable; for, besides that it served their turn (which no question they had discovered before) to prove those words against the earl of Strafford, which sir Harry Vane so punctually remembered, (as you shall find at the earl's trial,) and besides that it was matter of horror to the counsellors, to find that they might be arraigned for every rash, every inconsiderate, every imperious expression or word they had used there; and so made them more engaged to servile applications; it banished for ever all future freedom from that board, and those persons, whence his majesty was to expect advice in his greatest straits; all men satisfying themselves, "that they were no more obliged to deliver their opinions there freely, when they might be impeached in another place for so doing;" and the evincing this so useful doctrine was without doubt more the design of those grand managers, than any hope they had, of receiving further information thereby, than they had before.

And for my part, I must ask leave of those noble lords, who after the king's consent gave themselves

leave to be examined, to say, that if they had well considered the oath they had taken when they were admitted to that society, which was, *To keep secret all matters committed and revealed to them, or [that] should be treated of secretly in council*, they would not have believed, that the king himself could have dispensed with that part of their oath. It is true, there is another clause in their oath, that allows them with the king's consent to reveal a matter of council: but that is, only what shall touch another counsellor; which they are not to do without the leave of the king or the council.

It was now time to intend themselves, as well as the public, and to repair, as well as to pull down; and therefore, as the principal reason (as was said before) for the accusing those two great persons of high treason (that is, of the general consent to it before any evidence was required) was, that they might be removed from the king's presence and his counsels, without which they conceived theirs would have no power with him; so that being compassed, care was taken to infuse into the king by marquis Hamilton, (who you heard before was licensed to take care of himself; and was now of great intimacy with the governing and undertaking party,) "that his majesty having declared to his people, that he really intended a reformation of all those extravagancies which former necessities, or occasions, or mistakes, had brought into the government of church or state: he could not give a more lively and demonstrable evidence, and a more gracious instance of such his intention, than by calling such persons to his council, whom the people generally thought most inclined to, and intent upon, such reformation: besides, that this would be a good means to preserve the dignity and just power of that board, which might otherwise for the late excess be more subject to violation, at least to some inconvenient attempts."

Hereupon in one day were sworn privy-counsellors, much to the public joy, the earl of Hertford, (whom the king shortly after made marquis,) the earl of Bedford, the earl of Essex, the earl of Bristol, the lord Say, the lord Savile, and the lord Kimbolton; and within two or three days after, the earl of Warwick: being all persons at that time very gracious to the people, or to the Scots, by whose election and discretion the people chose; and had been all in some umbrage at court, and most of them in visible disfavour there. This act the king did very cheerfully; heartily inclined to some of them, as he had reason; and not apprehending any inconvenience by that act from the other, whom he thought this light of his grace would reform, or at least restrain.

But the calling and admitting men to that board is not a work that can be indifferent; the reputation, if not the government, of the state so much depending on it. And though, it may be, there hath been too much curiosity heretofore used to discover men's particular opinions in particular points, before they have received that honour; whereas possibly such differences were rather to have been desired than avoided; yet there are certain opinions, certain propositions, and general principles, that whosoever does not hold, does not believe, is not, without great danger, to be accepted for a privy-counsellor. As, whosoever is not fixed to monarchical grounds, the preservation and up-

holding whereof is the chief end of such a council: whosever does not believe that, in order to that great end, there is a dignity, a freedom, a jurisdiction most essential to be preserved in and to that place; and takes not the preservation thereof to heart; ought never to be received there. What in prudence is to be done towards that end, admits a latitude that honest and wise men may safely and profitably differ [in]; and those differences (which I said before there was too much unskilful care to prevent) usually produce great advantages in knowledge and wisdom: but the end itself, that which the logicians call the *terminus ad quem*, ought always to be a *postulatum*, which whosever doubts, destroys: and princes cannot be too strict, too tender, in this consideration, in the constituting the body of their privy-council; upon the prudent doing whereof much of their safety, more of their honour and reputation (which is the life itself of princes) both at home and abroad, necessarily depends; and the inadvertencies in this point have been, mediately or immediately, the root and the spring of all the calamities that have ensued.

Two reasons have been frequently given by princes for oversights, or for wilful breaches, in this important dispensation of their favours. The first, "that such a man can do no harm;" when, God knows, few men have done more harm than those who have been thought to be able to do least; and there cannot be a greater error, than to believe, a man whom we see qualified with too mean parts to do good, to be therefore incapable of doing hurt: there is a supply of malice, of pride, of industry, and even of folly, in the weakest, when he sets his heart upon it, that makes a strange progress in mischief. The second, "when persons of ordinary faculties, either upon importunity, or other collateral respects, have been introduced thither, that it is but a place of honour, and a general testimony of the king's affection;" and so it hath been as it were reserved as a preferment for those, who were fit for no other preferment. As amongst the Jesuits they have a rule, that they who are unapt for greater studies, shall study cases of conscience. By this means the number hath been increased, which in itself breeds great inconveniences; since a less number are fitter both for counsel and despatch, in matters of the greatest moment, that depend upon a quick execution, than a greater number of men equally honest and wise: and for that, and other reasons of unaptness and incompetency, committees of dexterous men have been appointed out of the table to do the business of the table; and so men have been no sooner exalted with the reverent title, and pleased with the obligation of being made privy-counsellors, than they have checked that delight with discerning that they were not fully trusted; and so been more incensed with the reproachful distinction at, than obliged with the honourable admission to, that board, where they do not find all persons equally members. And by this kind of resentment, many sad inconveniences have befallen to the king, and to those men who have had the honour and misfortune of those secret trusts.

The truth is, the sinking and near desperate condition of monarchy in this kingdom can never be buoyed up, but by a prudent and steady council attending upon the virtue and vivacity of the

king; nor be preserved and improved when it is up, but by cherishing and preserving the wisdom, integrity, dignity, and reputation of that council: the lustre whereof always reflects upon the king himself; who is not thought a great monarch when he follows the reins of his own reason and appetite; but when, for the informing his reason, and guiding his actions, he uses the service, industry, and faculties of the wisest men. And though it hath been, and will be, always necessary to admit to those counsels some men of great power, who will not take the pains to have great parts; yet the number of the whole should not be too great; and the capacities and qualities of the most [should be] fit for business; that is, either for judgment and despatch; or for one of them at least; and integrity above all.

This digression (much longer than was intended) will not appear very impertinent, when the great disservice shall appear, which befell unto the king by the swearing those lords formerly mentioned (I speak but of some of them) privy-counsellors. For, instead of exercising themselves in their new province, and endeavouring to preserve and vindicate that jurisdiction, they looked upon themselves as preferred thither, by their reputation in parliament, not [by the] kindness and estimation of the king; and so resolved to keep up principally the greatness of that place, to which they thought they owed their greatness. And therefore, when the king required the advice of his privy-council, in those matters of the highest importance which were then every day incumbent on him, the new privy-counsellors positively declared, "that they might not" (that was, that nobody might) give his majesty "any advice in matters depending in the two houses, and not agreeable to the sense of the two houses; which (forsooth) was his great council, by whose wisdom he was entirely to guide himself." And as this doctrine was most insipidly and perniciously urged by them; so it was most supinely and stupidly submitted to by the rest: insomuch as the king in a moment found himself bereaved of any public assistance or advice, in a time when he needed it most; and his greatest, and, upon the matter, his only business, being prudently to weigh and consider what to consent to, and what to deny, of such things as should be proposed to him by the two houses, he was now told, "that he was only to be advised by them;" which was as much as to ask, whether they had a mind he should do whatever they desired of him.

Whereas in truth, it is not only lawful for, but the duty of the privy-council, to give faithfully and freely their advice to the king upon all matters concluded in parliament, to which his royal consent is necessary, as well as upon any other subject whatsoever. Nay, as a counsellor, he is bound to dissuade the king to consent [from consenting] to that which is prejudicial to the crown; at least to make that prejudice manifest to him; though as a private person he could wish the matter consented to. And therefore, by the constitution of the kingdom, and the constant practice of all times, all bills, after they are passed both houses, and engrossed, are delivered by the clerk of the parliament to the clerk of the crown; and by him brought to the attorney-general; who presented the same to his majesty sitting in council, and having read them, declares what alterations are made by those bills in

former laws, and what benefit or detriment, in profit or jurisdiction, will accrue thereby to the crown : and then, upon a full and free debate by his counsellors, the king resolves, and accordingly doth mark the bills that are to be enacted into laws, and respites the other that he thinks not fit to consent to. And methinks as this hath been the known practice, so the reason is very visible ; that the royal assent being a distinct and essential part towards the making a law, there should be as much care taken to inform the understanding and conscience of the king upon those occasions, as theirs, who prepare the same for his royal stamp.

That it might appear that what was done within the houses was agreeable to those who were without, and that the same spirit reigned in parliament and people, all possible license was exercised in preaching, and printing any old scandalous pamphlets, and adding new to them against the church : petitions presented by many parishioners against their pastors, with articles of their misdemeanours and behaviours ; most whereof consisted, " in their bowing at the name of Jesus, and obliging the communicants to come up to the altar," (as they enviously called it,) that is, to the rails which enclosed the communion-table, " to receive the sacrament." All which petitions were read with great delight, and presently referred to the committee for religion ; where Mr. White, a grave lawyer, but notoriously disaffected to the church, sat in the chair ; and then both petition and articles were suffered to be printed and published, (a license never practised before,) that the people might be inflamed against the clergy ; who were quickly taught to call all those against whom such petitions and articles were exhibited (which were frequently done by a few of the rabble, and meanest of the people, against the sense and judgment of the parish) *the scandalous clergy* ; which appellation was frequently applied to men of great gravity and learning, and the most unblemished lives.

There cannot be a better instance of the unruly and mutinous spirit of the city of London, which was the sink of all the ill humour of the kingdom, than the triumphant entry which some persons at that time made into London, who had been before seen upon pillories, and stigmatized as libellous and infamous offenders : of which classis of men scarce any age can afford the like.

There had been three persons of several professions some years before censured in [the] star-chamber ; William Pryn, a barrister of Lincoln's Inn ; John Bastwick, a doctor of physic ; and Henry Burton, a minister and lecturer in London.

The first, not unlearned in the profession of the law, as far as learning is acquired by the mere reading of books ; but being a person of great industry, had spent more time in reading divinity ; and, which marred that divinity, in the conversation of factious and hotheaded divines : and so, by a mixture of all three, with the rudeness and arrogance of his own nature, had contracted a proud and venomous dislike against the discipline of the church of England ; and so by degrees (as the progress is very natural) an equal irreverence to the government of the state too ; both which he vented in several absurd, petulant, and supercilious discourses in print.

The second, a half-witted, crack-brained fellow, unknown to either university, or the college of physicians ; but one that had spent his time abroad, be-

tween the schools and the camp, (for he had been in, or passed through armies,) and had gotten a doctorship, and Latin ; with which, in a very flowing style, with some wit and much malice, he inveighed against the prelates of the church in a book which he printed in Holland, and industriously dispersed in London, and throughout the kingdom ; having presumed (as their modesty is always equal to their obedience) to dedicate it to *the sacred majesty of the king*.

The third had formerly a kind of relation by service to the king ; having, before he took orders, waited as closet-keeper, and so attended at canonical hours, with the books of devotion, upon his majesty when he was prince of Wales ; and, a little before the death of king James, took orders : and so his highness coming shortly to be king, the vapours of ambition fuming into his head that he was still to keep his place, he would not think of less than being clerk of the closet to the new king, which place his majesty conferred upon, or rather continued in, the bishop of Durham, doctor Neyl, who had long served king James there. Mr. Burton thus disappointed, and, as he called it, despoiled of his rights, would not, in the greatness of his heart, sit down by the affront ; but committed two or three such weak, saucy indiscretions, as caused an inhibition to be sent him, " that he should presume to come any more to court ;" and from that time [he] resolved to revenge himself of the bishop of Durham, upon the whole order ; and so turned lecturer, and preached against them ; being endued with malice and boldness, instead of learning and any tolerable parts.

These three persons having been, for several follies and libelling humours, first gently reprehended, and after, for their incorrigibleness, more severely censured and imprisoned, found some means in prison of correspondence, which was not before known to be between them ; and to combine themselves in a more pestilent and seditious libel than they had ever before vented : in which the honour of the king, queen, counsellors, and bishops, was with equal license blasted and traduced ; which was faithfully dispersed by their proselytes in the city. The authors were quickly and easily known, and had indeed too much ingenuity to deny it ; and were thereupon brought together to the star-chamber-bar *ore tenus* ; where they behaved themselves with marvellous insolence ; with full confidence demanding, " that the bishops who sat in the court" (being only the archbishop of Canterbury, and the bishop of London) " might not be present, " because they were their enemies, and so parties : " which, how scandalous and ridiculous soever it seemed then there, was good logic and good law two years after in Scotland, and served to banish the bishops of that kingdom both from the council-table and the assembly. Upon a very patient and solemn hearing, in as full a court as I ever saw, without any difference in opinion or dissenting voice, they were all three censured as scandalous, seditious, and infamous persons, " to lose their ears " in the pillory, and to be imprisoned in several " gaols during the king's pleasure : " all which was executed with rigour and severity enough. But yet their itch of libelling still brake out ; and their friends of the city found a line of communication. Hereupon the wisdom of the state thought fit, that those infectious sores should breathe out their corruption in some air more remote from that catching

city, and less liable to the contagion : and so, by an order of the lords of the council, Mr. Pryn was sent to a castle in the island of Jersey ; Dr. Bastwick to Scilly ; and Mr. Burton to Guernsey ; where they remained unconsidered, and truly I think unpitied, (for they were men of no virtue or merit,) for the space of two years, till the beginning of this present parliament.

Shortly upon that, petitions were presented by their wives or friends, to the house of commons, expressing "their heavy censures and long sufferings ;" and desiring, by way of appeal, "that the justice and rigour of that sentence might be reviewed and considered ; and that their persons might be brought from those remote and desolate places to London, that so they might be able to solicit or attend their own business." The sending for them out of prison (which was the main) took up much consideration : for though very many who had no kindness, had yet compassion towards them ; as thinking they had suffered enough ; and that, though they were scurvy fellows, they had been scurvily used : and others had not only affection to their persons, as having suffered for a common cause ; but were concerned to revive and improve their useful faculties of libelling and reviling authority ; and to make those ebullitions not thought noisome to the state : yet a sentence of a supreme court, the star-chamber, (of which they had not yet spoke with irreverence,) was not lightly to be blown off : but, when they were informed, and had considered, that by that sentence the petitioners were condemned to some prisons in London ; and were afterward removed thence by an order of the lords of the council ; they looked upon that order as a violation of the sentence ; and so made no scruple to order "that the prisoners should be removed from those foreign prisons, to the places to which they were regularly first committed." And to that purpose warrants were signed by the speaker, to the governors and captains of the several castles, "to bring them in safe custody to London : " which were sent with all possible expedition.

Pryn and Burton being neighbours (though in distinct islands) landed at the same time at Southampton ; where they were received and entertained with extraordinary demonstrations of affection and esteem ; attended by a marvellous conflux of company ; and their charges not only borne with great magnificence, but liberal presents given to them. And this method and ceremony kept them company all their journey, great herds of people meeting them at their entrance into all towns, and waiting upon them out with wonderful acclamations of joy. When they came near London, multitudes of people of several conditions, some on horseback, others on foot, met them some miles from the town ; very many having been a day's journey ; so they were brought, about two of the clock in the afternoon, in at Charing-cross, and carried into the city by above ten thousand persons, with boughs and flowers in their hands ; the common people strewing flowers and herbs in the ways as they passed, making great noise, and expressions of joy for their deliverance and return ; and in those acclamations mingling loud and virulent exclamations against the bishops, "who had so cruelly prosecuted such godly men." In the same manner, within five or six days after, and in like triumph, Dr. Bastwick returned from Scilly, landing at

Dover ; and from thence bringing the same testimonies of the affections and zeal of Kent, as the others had done from Hampshire and Surrey, was met before he came to Southwark by the good people of London, and so conducted to his lodging likewise in the city.

I should not have wasted this much time and paper in a discourse of this nature, but that it is and was then evident, that this insurrection (for it was no better) and phrensy of the people was an effect of great industry and policy, to try and publish the temper of the people ; and to satisfy themselves in the activity and interest of their tribunals, to whom that province of shewing the people was committed. And from this time, the license of preaching and printing increased to that degree, that all pulpits were freely delivered to the schismatical and silenced preachers, who till then had lurked in corners, or lived in New England ; and the presses at liberty for the publishing the most invective, seditious, and scurrilous pamphlets, that their wit and malice could invent. Whilst the ministers of the state, and judges of the law, like men in an ecstasy, surprised and amazed with several apparitions, had no speech or motion ; as if, having committed such an excess of jurisdiction, (as men upon great surfeits are enjoined for a time to eat nothing,) they had been prescribed to exercise no jurisdiction at all. Whereas, without doubt, if either the privy-council, or the judges and the king's learned council, had assumed the courage to have questioned the preaching, or the printing, or the seditious riots upon the triumph of these three scandalous men, before the uninterrupted and security had confirmed the people in all three, it had been no hard matter to have destroyed those seeds, and pulled up those plants, which, [being] neglected, grew up and prospered to a full harvest of rebellion and treason. But this was yet but a rudeness and rankness abroad, without any visible countenance or approbation from the parliament : all was chaste within those walls.

The first malignity that was apparent there (for the accusation of the archbishop and the earl of Strafford were looked upon as acts of passion, directed against particular persons, who were thought to have deserved some extraordinary measure and proceeding) was against the church : not only in their committee for religion ; which had been assumed ever since the latter times of king James, but no such thing had been before heard of in parliament ; where, under pretence of receiving petitions against clergymen, they often debated points beyond the verge of their understanding : but, by their cheerful reception of a declaration of many sheets of paper against the whole government of the church ; presented by ten or a dozen ministers, at the bar ; and pretended to be signed by seven hundred ministers of London and the counties adjacent : and a petition, presented by alderman Pennington, and alleged to be subscribed by twenty thousand men, inhabitants within the city of London ; who required, in plain terms, "the total extirpation of episcopacy." But the house was then so far from being possessed with that spirit, that the utmost that could be obtained, upon a long debate upon that petition, was, "that it should not be rejected ;" against which the number of the petitioners was urged as a powerful argument ; only it was suffered to remain in the hands of the clerk of the house, with direction, "that no copy

"of it should be given." And for the ministers' declaration, one part only of it was insisted on by them, and read in the house; which concerned the exercise of their jurisdiction, and the excess of their ecclesiastical courts: the other parts were declined by many of them, and especially ordered "to be sealed up by the clerk, that it might be perused by no man." So that all that envy and animosity against the church seemed to be resolved into a desire, "that a bill might be framed to remove the bishops from their votes in the lords' house, and from any office in secular affairs;" which was the utmost men pretended to wish: and to such a purpose a bill was shortly after prepared, and brought into the house; of which more shall be said in its proper place.

It was a strange uningenuity and mountebankry, that was practised in the procuring those petitions; which continued ever after in the like addresses. The course was, first, to prepare a petition very modest and dutiful, for the form; and for the matter, not very unreasonable; and to communicate it at some public meeting, where care was taken it should be received with approbation: the subscription of very few hands filled the paper itself, where the petition was written, and therefore many more sheets were annexed, for the reception of the number, which gave all the credit, and procured all the countenance, to the undertaking. When a multitude of hands was procured, the petition itself was cut off, and a new one framed, suitable to the design in hand, and annexed to the long list of names which were subscribed to the former. And by this means, many men found their hands subscribed to petitions, of which they before had never heard. As several ministers, whose hands were to the petition and declaration of the London ministers before mentioned, have professed to many persons, "that they never saw that petition or declaration before it was presented to the house; but had signed another, the substance of which was, not to be compelled to take the oath enjoined by the new canons: and when they found, instead of that, their names set to a desire of an alteration of the government of the church, they with much trouble went to Mr. Marshall, with whom they had intrusted their petition and their hands; who gave them no other answer, but that it was thought fit by those who understood business better than they, that the latter petition should rather be preferred than the former." And when he found, they intended by some public act to vindicate themselves from that calumny; such persons, upon whom they had their greatest dependence, were engaged, by threats and promises, to prevail with them to sit still, and to pass by that indirect proceeding.

For the better facilitating and making way for these virulent attempts upon the church, petitions and complaints are [were] exhibited against the exorbitant acts of some bishops; especially against the bishops of Bath and Wells, and Ely; who had with great pride and insolence provoked all the gentry, and in truth most of the inhabitants within their dioceses." And the new canons were insisted on, "as a most palpable invasion by the whole body of the clergy, upon the laws and liberty of the people."

I told you before, that after the dissolution of the former short parliament, the convocation-

house was continued by special warrant from the king; and by his majesty, in a solemn message sent to them by sir Harry Vane, then principal secretary, "required to proceed in the making of canons, for the better peace and quiet of the church." Notwithstanding this command, the chief of the clergy, well knowing the spirit of bitterness that was contracted against them; and many obsolete pamphlets against their jurisdiction and power being, since the commotions in Scotland, revived and published with more freedom; desired his majesty, "that the opinions of the judges might be known and declared, whether they might then lawfully sit, the parliament being dissolved, and proceed in the making of canons; as likewise, upon other particulars in their jurisdiction, which had been most inveighed against?"

All the judges of England, upon a mature debate, in the presence of the king's council, under their hands asserted, "their power of making canons, and those other parts of jurisdiction, which had been so enviously questioned." Hereupon they proceeded; and having composed a body of canons, presented the same to his majesty, for his royal approbation. They were then again debated at the council-board, not without notable opposition; for upon some lessening the power and authority of the chancellors, and their commissaries, by those canons, the professors of that law took themselves to be disobliged; and sir Henry Martin, (who could not oversee any advantages,) upon several days of hearing at the council-table, with his utmost skill objected against them: but in the end, by the entire and unanimous advice of the privy-council, the canons were confirmed by the king, under the great seal of England, and thereby legally enjoined to be observed. So that whatever they were, the judges were at least as guilty of the first presumption in framing them, and the lords of the council in publishing and executing them, as the bishops, or the rest of the clergy, in either.

Yet the storm fell wholly on the church: and the matter of those canons, and the manner of making them, was insisted on, as a pregnant testimony of a malignant spirit in the very function of the bishops. The truth is, the season in which that synod continued to sit (as was observed before) was in so ill a conjuncture of time, (upon the dissolution of a parliament, and almost in an invasion from Scotland,) that nothing could have been transacted there, of a popular and prevailing influence. Then, some sharp canons against sectaries, and some additional in point of ceremonies, countenancing, though not enjoining, what had not been long practised, infinitely inflamed some, and troubled others; who jointly took advantage of what strictly was amiss; as the making an oath, the matter of which was conceived incongruous; and enjoining it to many of the laity, as well as the clergy; and the granting of subsidies.

So that the house of commons (that is, the major part) made no scruple, in that fury, to declare, "that the convocation-house had no power at all of making canons:" notwithstanding that it was apparent by the law, and the uncontradicted practice of the church, that canons had never been otherwise made: "and that those canons contained in them matter of sedition and reproach to the regal power; prejudicial to the liberty and property of the subject, and to the privileges of



"parliament." By the extent of which notable vote and declaration, they had involved almost the whole clergy under an arbitrary guilt; as much as they had done the nobility and gentry before, under their votes of lords lieutenants, deputy lieutenants, privy-counsellors, and sheriffs; and of which they made the same use; as shall be remembered in its proper place.

The two armies were necessarily to be provided for, lest the countries where their quarters were should come to be oppressed by free quarter; which would not only raise a very inconvenient noise, but introduce a necessity of disbanding the armies, which they were in no degree ready for: and money not being to be raised soon enough in the formal way, by act of parliament, which would require some time in the passage; besides, that the manner and way of raising it had not been enough considered; and the collecting it would require much time, even after an act of parliament should be passed; therefore for the present supply they thought fit to make use of their credit with the city; to whom a formal embassy of lords and commons was sent; which were carefully chosen of such persons as carried the business of the house before them, that the performing the service might be as well imputed to their particular reputation and interest, as to the affection of the city: and these men in their orations to the citizens undertook "that their money should be repaid with interest by the care of the parliament." And this was the first introduction of the public faith; which grew afterwards to be applied to all monstrous purposes.

And this expedient succeeded twice or thrice for such sums as they thought fit to require; which were only enough to carry on their affairs, and keep them in motion; not proportionable to discharge the debt due to the armies, but to enable them to pay their quarters: it being fit to keep a considerable debt still owing, lest they should appear too ready to be disbanded.

And they had likewise another design in this commerce with the city; for always upon the loan of money they recommended some such thing to the parliament, as might advance the designs of the party; as "the proceeding against delinquents;" or "some reformation in the church;" which the managers knew well what use to make of upon any emergency. When they had set this traffick on foot in the city, and so brought their friends there into more reputation and activity; at their election of common-council men, (which is every year before Christmas; and in which new men had rarely used to be chosen, except in case of death, but the old still continued,) all the grave and substantial citizens were left out; and such chosen as were most eminent for opposing the government, and most disaffected to the church, though of never so mean estates: which made a present visible alteration in the temper of the city, (the common-council having so great a share in the management of affairs there,) and even in the government itself.

Other ways were to be thought of for getting of money, which was, once at least every month, called for very importunately by the Scottish commissioners; which caused the same provision to be made for the English forces. The next expedient was, "That in so great an exigence, and for the public peace; that the armies might not enter

"into blood, by the determination of the cessation, which want of pay would inevitably produce; the several members of the house would lend money, according to their several abilities; or that such as had no money would become bound for it; and upon these terms enough could be borrowed." And this was no sooner proposed, but consented to by all the eminent leaders; and by many others, in order to make themselves the more acceptable to those; and some did it for their own convenience, there being little hazard of their money, and full interest to be received, and believing it would facilitate the disbanding of the armies; upon which all sober men's hearts were directed.

And now, to support their stock of credit, it was time to raise money upon the people by act of parliament; which they had an excuse for not doing in the usual way, "and giving it immediately to the king, to be paid into the exchequer; because the public faith was so deeply engaged to the city for a great debt; and so many particular members in the loan of monies, and in being bound for the payment of great sums, for which their estates were liable: and therefore it was but reason, that for their indemnity the money that was to be raised should be paid into the hands of particular members of the house, named by them; who should take care to discharge all public engagements." And the first bill they passed being but for two subsidies, which was not sufficient to discharge any considerable part of the money borrowed, they inserted in the bill the commissioners' names, who were to receive and dispose the money. And the king made no pause in the passing it; himself not considering the consequence of it, and none about him having the courage to present it to him.

But from that time, there was no bill passed for the raising of money, but it was disposed of in the same, or the like manner; that none of it could be applied to the king's use, or by his direction. Nor were they contented with this invasion of his prerogative, but took notice, "that, from the time of his majesty's coming to the crown, he had taken the customs and impositions upon merchandise as his own right, without any act of parliament; which no king had ever before done;" insinuating withal, "that they meant to make a further inquisition into those, who had been the chief ministers in that presumption." They said, "Nobody could imagine, but that they intended to grant the same to his majesty, in the same manner, for his life, as had been done to his progenitors by former parliaments: but that they found such an act could not be presently made ready; because the book of rates now in practice (besides that it had not been made by lawful authority) contained many excesses, and must be reformed in several particulars; in preparing which, they would use all possible diligence, and hoped to effect it in a short time: however, that the continuance of the collection in the manner it was in, without any lawful title, and during the very sitting of the parliament, would be a precedent of a very evil consequence, and make the right of giving it the more questioned; at least the less valued. And therefore it would be fit, that either all the present collection be discontinued, and cease absolutely; which was in the power of the merchants themselves to do, by



"refusing to pay any duties which there was no law to compel them to: or, that a short act should be presently passed, for the continuance of the payments for a short time; against the expiration whereof, the act [for granting them] for life, with the book of rates, would be prepared, and ready." There were many inconveniences discovered in the first, in discontinuing the collection and payment of duties, "which would not be so easily revived again, and reduced into order: and that the last would, without prejudice to either, both vindicate the right of the subject, and secure the king's profit:" and so they prepared (with all the expressions of duty and affection to the king that can be imagined) and presented a grant of those duties for some few months. In which there was a preamble, disapproving and condemning "all that had been done in that particular, from his majesty's first coming to the crown, to that time; and asserting his whole right to depend upon the gift of his subjects:" and concluded with "most severe penalties to be inflicted upon those, who should presume hereafter to collect or receive those duties otherwise than as they were, or should be, granted by act of parliament:" which was never before provided for, and the king likewise passed it; and so, besides other unseasonable concessions and determinations, put all the revenue he had to live upon, and to provide him meat, into their hands, and to take from him whenever they should think it convenient to their other designs: of which he shortly after found the mischief.

Though, as hath been observed, there was not yet one penny of money given to the king, or received by his ministers; yet, because subsidies were raised upon the people, according to the formality of parliaments; and as if all that great supply had been to the king's own coffers; it was thought necessary, that the people should be refreshed with some behevful law, at the same time that they found themselves charged with the payment of so many subsidies. And under that consideration, together with that bill for subsidies, another was sent up to the lords, for a triennial parliament: both which quickly passed that house, and were transmitted to the king.

In that for the triennial parliament (though the same was grounded upon two former statutes in the time of king Edward the Third, "That there should be once every year a parliament") there were some clauses very derogatory to monarchical principles; as "giving the people authority to assemble together, if the king failed to call them," and the like: yet his majesty, really intending to make those conventions frequent, without any great hesitation, enacted those two bills together; so much to the seeming joy and satisfaction of both houses, that they pretended "to have sufficiently provided for the indemnity of the commonwealth; and that there remained nothing to be done, but such a return of duty and gratitude to the king, as might testify their devotions; and that their only end was to make him glorious:" but those fits of zeal and loyalty never lasted long.

The lord Finch's flight made not only that place vacant, but begat several other vacancies. The seal was given to Littleton, who was then chief justice of the common pleas; for which place he was excellently fitted: but being a man of a grave

and comely presence, his other parts were overvalued; his learning in the law being his masterpiece. And so he was chosen to be keeper, upon the opinion and recommendation of the two great ministers under the cloud; who had before brought him to be a privy-counsellor, whilst chief justice, to the no little jealousy of the lord Finch.

Banks, the attorney general, was weary enough of the inquisition that was made into the king's grants, and glad to be promoted to the common pleas. And Herbert, the solicitor general, who had sat all this time in the house of commons, awed and terrified with their temper; applying himself to Mr. Hamblen, and two or three of the other, without interposing or crossing them in any thing; longed infinitely to be out of that fire: and so the office of attorney general, which at any other time had been to be wished, was now most grateful, as it removed him from the other attendance, there being an incapacity put upon that place of sitting as a member in parliament: and so he was called by writ to attend the house of peers, where he sits upon the woolsack at the back of the judges.

From the time that there was no more fear of the archbishop of Canterbury, nor the lord lieutenant of Ireland, nor of any particular men who were like to succeed them in favour; all who had been active in the court, or in any service for the king, being totally dispirited, and most of them to be disposed to any vile offices against him; the great patriots thought they might be able to do their country better service, if they got the places and preferments in the court, and so prevented the evil counsels which had used to spring from thence. And they had then a fast friend there, the marquis of Hamilton; who could most dexterously put such an affair into agitation, with the least noise, and prepare both king and queen to hearken to it very willingly: and in a short time all particulars were well adjusted for every man's accommodation.

The earl of Bedford was to be treasurer: in order to which, the bishop of London had already desired the king "to receive the staff into his hand, and give him leave to retire to the sole care of his bishopric;" by which he wisely withdrew from the storm, and enjoyed the greatest tranquillity of any man of the three kingdoms, throughout the whole boisterous and destroying time that followed; and lived to see a happy and blessed end of them, and died in great honour and glory. And so the treasury was for the present put into commission. Mr. Pym was to be chancellor of the exchequer: which office the lord Cottington was likewise ready to surrender, upon assurance of indemnity for the future. These two were engaged to procure the king's revenue to be liberally provided for, and honourably increased and settled.

And, that this might be the better done, the earl of Bedford prevailed with the king, upon the removes mentioned before, to make Oliver Saint-John (who hath been often, and will be oftener mentioned in this discourse) his solicitor general; which his majesty readily consented to; hoping that, being a gentleman of an honourable extraction, (if he had been legitimate,) he would have been very useful in the present exigence to support his service in the house of commons, where his authority was then great; at least, that he would

be ashamed ever to appear in any thing that might prove prejudicial to the crown. And he became immediately possessed of that office of great trust; and was so well qualified for it, by his fast and rooted malignity against the government, that he lost no credit with his party, out of any apprehension or jealousy that he would change his side: and he made good their confidence; not in the least degree abating his malignant spirit, or dissembling it; but with the same obstinacy opposed every thing which might advance the king's service, when he was his solicitor, as ever he had done before.

The lord Say was to be master of the wards; which place the lord Cottington was likewise to surrender for his quiet and security. And Denzil Hollis was to be secretary of state, in the place of secretary Windebank.

Thus far the intrigue for preferments was entirely complied with: and it is great pity that it was not fully executed, that the king might have had some able men to have advised or assisted him; which probably these very men would have done, after they had been so thoroughly engaged: whereas the king had none left about him in any immediate trust in business, (for I speak not of the duke of Richmond, and some very few men more about his person, who always behaved themselves honourably,) who either did not betray, or sink under the weight or reproach of it.

But the earl of Bedford was resolved, that he would not enter into the treasury, till the revenue was in some degree settled; and at least the bill for tonnage and poundage passed, with all decent circumstances, and for life; which both he and Mr. Pym did very heartily labour to effect; and had in their thoughts many good expedients, by which they intended to raise the revenue of the crown. And none of them were very solicitous to take their promotions, before some other accommodations were provided for some of the rest of their chief companions; who would be neither well pleased with their so hasty advancement before them, nor so submissive in the future to follow their dictates.

Hambden was a man they could not leave unprovided for; and therefore there were several designs, and very far driven, for the satisfaction and promotion of him, and Essex, and Kimbolton, and others; though not so fully concluded, as those before mentioned. For the king's great end was, by these compliances, to save the life of the earl of Strafford, and to preserve the church from ruin: for nobody thought the archbishop in danger of his life. And there were few of the persons mentioned before, who thought their preferments would do them much good, if the earl were suffered to live; but in that of the church, the major part even of those persons would have been willing to have satisfied the king; the rather, because they had no reason to think the two houses, or indeed either of them, could have been induced to have pursued the contrary. And so the continued and renewed violence in the prosecution of the earl of Strafford made the king well contented (as the other reasons prevailed with the other persons) that the execution of those promotions should be for a time suspended.

When there was a new occasion, upon the importunity of the Scottish commissioners, to procure more money; and the leading men, who used to

be forward in finding out expedients for supply, seemed to despair of being able to borrow more; because the city was much troubled and disheartened, to see the work of reformation proceed so slowly, and no delinquents yet brought to justice; and that till some advance was made towards those longed-for ends, there must be no expectation of borrowing more money from or in the city: upon which Mr. Hyde said, "That he did not believe the thing to be so difficult as was pretended; that no man lent his money, who did not gain by it; and that it was evident enough, that there was plenty of money; and therefore he was confident, if a small committee of the house were nominated, who, upon consultation between themselves, might use the name of the house to such men as were reputed to have money, they might prevail with them to lend as much as might serve for the present exigence." Whereupon the house willingly approved the motion; and named himself, Mr. Capel, sir John Strange-ways, and five or six more, whom they desired might be joined with them; who, the same or the next day, repaired into the city; resolving to apply themselves to no men but such who were of clear reputation in point of wisdom, and sobriety of understanding, as well as of wealth and ability to lend. And after they had spoken together with four or five eminent men, they agreed to pair, and to confer severally with their particular acquaintance, upon the same subject: many men choosing rather to lend their money, than to be known to have it; and being very wary in their expressions, except in private.

When they had again communicated together, they found that the borrowing the money would be very easy; every man with whom they had conferred being ready and forward to lend the money upon their security who proposed, or to find a friend who should. Most of them in their private discourse said, "that there was money enough to be lent, if men saw there would be like to be any end of borrowing; but that it was an universal discomfort and discouragement, to all men of estates and discretion, to see two great armies still kept on foot in the kingdom, at so vast a charge, when there remained no fear of a war; and that if a time were once appointed for the disbanding them, there should not want money for the doing all that should be necessary in order to it." This answer satisfied them in all respects: and the next day Mr. Hyde reported to the house the success of their employment; "that they had conferred with the most substantial and best reputed men of the city; who, by themselves and their friends, had promised to supply the money which was desired." And then he enlarged upon "the temper they understood the city to be in, by the reports of those who might be reasonably supposed to know it best; that it was indeed very much troubled and melancholic, to see two armies kept on foot at so vast a charge within the bowels of the kingdom, when, God be thanked, all the danger of a war was removed; and that they who were very able to make good what they promised, had frankly undertaken, that if a peremptory day was appointed for being rid of those armies, there should not be want of money to discharge them."

The report was received with great applause by the major part of the house, as was reasonably col-

lected by their countenance : but it was as apparent, that the governing party was exceedingly perplexed with it, and knew not on a sudden what to say to it : if they embraced the opportunity, to procure a supply of money which was really wanted, it would be too great a countenance to the persons who had procured it; and whose reputation they were willing to depress : besides, it would imply their approbation of what had been said of the disbanding : at least, would be a ground of often mentioning and pressing it; and which, how grateful soever to most other men, was the thing they most abhorred. After a long silence, Mr. Hambden said, "that the worthy gentlemen were to be much commended for the pains they had taken; of which, he doubted not, good use would be made:" and so proposed, "That it might be well thought of, and the debate resumed the next day;" which could not be denied. The next day, alderman Pennington (a man in highest confidence with the party; and one, who insinuated all things to the common-council which he was directed should be started there) began the discourse; and said, "that the gentlemen, who had been last in the city to borrow money, had made a fair report; but that in the end of it there was *colloquintida*; that he could not find with what persons they had conferred about the temper of the city; nor that any considerable people troubled themselves with designing or wishing what the parliament should do, which they knew to be wise enough, to know what and when they were to do that which was best for the kingdom: and they acquiesced in their grave judgment:" and concluded, "that the money that the house stood in need of, or a greater sum, was ready to be paid to whomsoever they would appoint to receive it." The house made itself very merry with the alderman's *colloquintida*, and called upon him "to explain it;" and so the debate ended: all men being well pleased to see the disorder they were in, and the pains they had taken to free themselves from it; which every day was renewed upon them, as the subject-matter afforded occasion; and they visibly lost much of the reverence, which had been formerly paid to them.

About the beginning of March, they began to make preparations for the trial of the earl of Strafford; who had then been about three months in prison, under their accusation of high treason: and by this time, for their better supply in that work, a committee was come from the parliament in Ireland, to solicit matters concerning that kingdom. This committee (most of them being papists, and the principal actors since in the rebellion) was received with great kindness, and, upon the matter, added to the committee for the prosecution of the earl of Strafford. So that now, Ireland seemed no less intent upon the ruin of that unfortunate lord, than England and Scotland; there being such a correspondence settled between Westminster and Dublin, that whatsoever was practised in the house of commons here was very soon after done likewise there: and as sir George Ratcliff was accused here of high treason, upon pretence of being a confederate with the earl in his treasons; but in truth that he might not be capable of giving any evidence on the behalf of him, and thereupon sent for into this kingdom: so all, or most of the other persons, who were in any trust with the earl, and so privy to the grounds and reasons of the coun-

sels there, and only able to make those apparent, were accused by the house of commons in that kingdom of high treason; under the general impeachment, of "endeavouring to subvert the fundamental laws of that kingdom, and to introduce an arbitrary power:" which served [the] turn there, to secure their persons, and to remove them from councils, as it had done here.

What seeds were then sown for the rebellion, which within a year after broke out in Ireland, by the great liberty and favour that committee found; who, for the good service against that lord, were hearkened to in all things that concerned that kingdom, shall be observed, and spoken of at large, hereafter.

Much time was spent in consideration of the manner of the trial; for they could find no precedent would fit their case: "Whether it should be in the house of peers? which room was thought too little, for the accusers, witnesses, judges, and spectators: Who should prosecute? Whether members chosen of the commons, or the king's council? Whether the bishops" (which were twenty-four in number, and like to be too tender-hearted in matter of blood, and so either to convert many, or to increase a dissenting party too much) "should have voices in the trial? Whether those who had been created peers since the accusation [was] carried up, should be admitted to be judges?" And lastly, "Whether the commons, who were to be present at the trial, should sit uncovered? and, Whether any members of the house of commons should be examined at the trial on the behalf of the earl?" who had sent a list of names, and desired an order to that purpose.

After much debate it was resolved, "that the trial should be in Westminster-hall, where seats should be built for the reception of the whole house of commons, which together with the speaker should be present:" for they then foresaw, that they might be put to another kind of proceeding than that they pretended; and (though with much ado) they consented to sit uncovered, lest such a little circumstance might disturb the whole design.

For the prosecution, they had no mind to trust the king's council; who neither knew their secret evidence, nor, being informed, were like to apply and press it so vigorously as the business would require: and therefore they appointed "that committee which had prepared the charge, to give in the evidence, and in the name of all the commons of England to prosecute the impeachment."

For the bishops: after many bitter invectives, and remembering the faults of particular persons, and the canons which seemed to involve the whole body, with sharpness and threats; they took the case to be so clear upon an old canon, (the only one they acknowledged for orthodox,) that *clericus non debet interesse sanguini*, that they were content "to refer that to the house of peers, as proper only for their determination." And this they did, not upon any confidence they had in the matter itself, whatever law, or reason, or canon they pretended; or in the lords, the major part of whom, when any difference of opinion was, always dissented from their designs: but that they had a trick of doing their business by intimation; and they had a sure friend amongst the bishops, who had promised them seasonably to free them of that trouble.

And therefore they would not trust their lords' own inclinations with the other point, of the new barons, which they knew would be controverted; but in plain terms demanded, "that no peer, created since the day upon which the earl of Strafford was impeached for high treason, because they were involved as commoners in the making that accusation, should sit as judges at his trial."

For the earl's demand, "of an order to examine some members on his behalf, upon matters of fact, at his trial;" after a long debate, they left it only in the power of the persons themselves who were nominated, "to be examined if they would," (not without some smart animadversions, "that they should take heed what they did,") and refused to enjoin them; though the same had been done at their desire, for the lords of the council; but that was against the earl, and so the less to be considered.

The lords, in the absence of the lord keeper, who was very sick, made choice of the earl of Arundel to preside and govern the court; being a person notoriously disaffected to the earl of Strafford.

And for the great business of the bishops, they were saved the labour of giving any rule (which, it may be, would have troubled them) by the bishop of Lincoln's standing up, and moving, on the behalf of himself and his brethren, "that they might be excused from being present at the trial, being ecclesiastical persons, and so not to have their hands in blood;" and such other reasons, as, when they are examined, will be found very trivial.

This bishop had been, by several censures in the star-chamber, imprisoned in the Tower, where he remained till after the beginning of this parliament, and was then set at liberty upon the desire of the lords; who knew him to be a mortal and irreconcilable enemy to the archbishop of Canterbury, and indeed had always been a puritan so far, as to love none of the bishops, and to have used all learned churchmen with great contempt and insolence; and yet he left no way unpractised to assure the king, "that he would do great matters in parliament for his service, if he might be at liberty." The next day after he came to the house of peers, the lord Say made that schismatical speech, which he since printed; taking notice "of some imputations laid on him by the archbishop of Canterbury, that he should be a sectary;" which nobody can doubt, that reads that speech: yet he had no sooner done, than that bishop rose, and made a large panegyric in his praise, and professed, "that he always believed his lordship to be as far from a sectary, as himself." And when he found the great desire of the house of commons to be freed from the bishops' votes in that trial, he never left terrifying them with the censure that hung over their heads for making the canons, till he persuaded them to ingratiate themselves, by desiring to be excused in that matter, before an order should be made for their absence.

This example of the bishops prevailed with some lords, who had been created since the accusation, to quit their right of judging; and amongst them, the lord Littleton (who had been made a baron upon the desire of the earl of Strafford, for that only reason, that he professed, "if he were a peer, he would (and indeed he could) do him notable service") was the first who quitted his right to

judge, because he had been a commoner when the accusation was first brought up: but they who insisted upon their right, (as the lord Seymour and others,) and demanded the judgment of the house, were no more disturbed, but exercised the same power to the end, as any of the other lords did; and so, no doubt, might the bishops too, if they would: for, though there might be some reason for their absence, when the trial was according to law, before and by his peers only; yet, when that judgment was waved, and a bill of attainder brought up against him, their votes in that bill were as necessary and essential, as of any other of the lords. And it may be, their unseasonable, voluntary, unjust quitting it then, made many men less solicitous for the utter taking away that right afterwards. But of that in its place.

All things being thus prepared, and settled; on Monday, the twenty-second of March, the earl of Strafford was brought to the bar in Westminster-hall; the lords sitting in the middle of the hall in their robes; and the commoners, and some strangers of quality, with the Scottish commissioners, and the committee of Ireland, on either side: there being a close box made at one end, at a very convenient distance for hearing, in which the king and queen sat untaken notice of; his majesty, out of kindness and curiosity, desiring to hear all that could be alleged: of which, I believe, he afterwards repented himself; when "his having been present at the trial" was alleged and urged to him, as an argument for the passing the bill of attainder.

After his charge was read, and an introduction made by Mr. Pym, in which he called him *the wicked earl*; some member of the house of commons, according to their parts assigned, being a lawyer, applied and pressed the evidence, with great license and sharpness of language; and, when the earl had made his defence, replied with the same liberty upon whatsoever he said; taking all occasions of bitterly inveighing against his person: which reproachful way of carriage was looked upon with so much approbation, that one of the managers (Mr. Palmer) lost all his credit and interest with them, and never recovered it, for using a decency and modesty in his carriage and language towards him; though the weight of his arguments pressed more upon the earl, than all the noise of the rest.

The trial lasted eighteen days; in which, "all the hasty or proud expressions, or words, he had uttered at any time since he was first made a privy-counsellor; all the acts of passion or power that he had exercised in Yorkshire, from the time that he was first president there; his engaging himself in projects in Ireland, as the sole making of flax, and selling tobacco in that kingdom; his billeting of soldiers, and exercising of martial law in that kingdom; his extraordinary proceeding against the lord Mountnorris, and the lord chancellor [Loftus]; his assuming a power of judicature at the council-table to determine private interest, and matter of inheritance; some rigorous and extrajudicial determinations in cases of plantations; some high discourses at the council-table in Ireland; and some casual and light discourses at his own table, and at public meetings; and lastly, some words spoken in secret council in this kingdom after the dissolution of the last parliament,"

were urged and pressed against him, to make good the general charge, of "an endeavour to overthrow the fundamental government of the kingdom, and to introduce an arbitrary power."

The earl behaved himself with great show of humility and submission; but yet, with such a kind of courage, as would lose no advantage; and, in truth, made his defence with all imaginable dexterity; answering this, and evading that, with all possible skill and eloquence; and though he knew not, till he came to the bar, upon what parts of his charge they would proceed against him, or what evidence they would produce, he took very little time to recollect himself, and left nothing unsaid that might make for his own justification.

For the business of Ireland; he complained much, "that, by an order from the committee which prepared his charge against him, all his papers in that kingdom, by which he should make his defence, were seized and taken from him; and, by virtue of the same order, all his goods, household stuff, plate, and tobacco (amounting, as he said, to eighty thousand pounds) were likewise seized; so that he had not money to subsist in prison: that all those ministers of state in Ireland, who were most privy to the acts for which he was questioned, and so could give the best evidence and testimony on his behalf, were imprisoned under the charge of treason. Yet he averred, that he had behaved himself in that kingdom, according to the power and authority granted by his commission and instructions, and according to the rules and customs observed by former deputies and lieutenants. That the monopolies of flax and tobacco had been undertaken by him for the good of that kingdom, and benefit of his majesty: the former establishing a most beneficial trade and good husbandry, not before practised there; and the latter bringing a revenue of above forty thousand pounds to the crown, and advancing trade, and bringing no damage to the subject. That billeting of soldiers," (which was alleged to be treason, by a statute made in Ireland in the time of king Henry the Sixth,) "and the exercising of martial law, had been always practised by the lieutenants and deputies of that kingdom;" (which he proved by the testimony and confession of the earl of Cork and the lord Wilmot; neither of which desired to say more for his behoof, than inevitably they must. He said, "the act of parliament mentioned, of Henry the Sixth, concerned not him; it comprehending only the inferior subjects, and making it penal to them to billet soldiers, not the deputy, or supreme commander; if it did, that it was repealed by Poyning's act, in the eleventh year of Henry the Seventh: however, if it were not, and that it were treason still, it was treason only in Ireland, and not in England; and therefore, that he could not be tried here for it, but must be transmitted thither." He said, "the council-table in Ireland had a large, natural, legal jurisdiction, by the institution and fundamental customs of that kingdom; and had, in all times, determined matters of the same nature, which it had done in his time: and that the proceedings there upon plantations had been with the advice of the judges, upon a clear title of the crown, and upon great reason of state: and that the nature and disposition of that people required a

"severe hand and strict reins to be held upon them, which being loosed, the crown would quickly feel the mischief."

For the several discourses, and words, wherewith he was charged; he denied many, and explained and put a gloss upon others, by the reasons and circumstances of the debate. One particular, which they much insisted on, though it was spoken twelve years before, "that he should say in the public hall in York, that the little finger of the prerogative should lie heavier upon them than the loins of the law," he directly inverted; and proved, by two or three persons of credit, "that he said" (and the occasion made it probable, being upon the business of knighthood, which was understood to be a legal tax) "the little finger of the law was heavier than the loins of the prerogative;" that imposition for knighthood amounting to a much higher rate, than any act of the prerogative which had been exercised. "However," he said, "he hoped no indiscretion, or unskilfulness, or passion, or pride of words, would amount to treason; and for misdemeanours, he was ready to submit to their justice."

He made the least, that is, the worst excuse, for those two acts against the lord Mountnorris, and the lord chancellor; which indeed were powerful acts, and manifested a nature excessively imperious if not inclined to tyranny; and, no doubt, drew a greater dislike and terror, from sober and dispassioned persons, than all that was alleged against him. A servant of the earl's, one Annesley, (kinsman to Mountnorris,) attending on his lord during some fit of the gout, (of which he often laboured,) had by accident, or negligence, suffered a stool to fall upon the earl's foot; enraged with the pain whereof, his lordship with a small cane struck Annesley: this being merrily spoken of at dinner, at a table where the lord Mountnorris was, (I think, the lord chancellor's,) he said, "the gentleman had a brother that would not have taken such a blow." This coming some months after to the deputy's hearing, he caused a council of war to be called; the lord Mountnorris being an officer of the army; where, upon an article "of moving sedition, and stirring up the soldiers against the general," he was charged with those words formerly spoken at the lord chancellor's table. What defence he made, I know not; for he was so surprised, that he knew not what the matter was, when he was summoned to that council: but the words being proved, he was deprived of his office (being then vice-treasurer) and his foot-company; committed to prison; and sentenced "to lose his head." The office and company were immediately disposed of, and he imprisoned, till the king sent him over a pardon, by which he was discharged with his life; all other parts of the sentence being fully executed.

This seemed to all men a most prodigious course of proceeding; that, in a time of full peace, a peer of the kingdom and a privy-counsellor, for an unadvised, passionate, mysterious word, (for the expression was capable of many interpretations,) should be called before a council of war, which could not reasonably be understood to have then a jurisdiction over such persons, and in such cases; and, without any process, or formality of defence, in two hours should be deprived of his life and fortune: the injustice whereof seemed the more formidable, for that the lord Mountnorris was

known, for some time before, to stand in great jealousy and disfavour with the earl : which made it looked on as a pure act of revenge ; and gave all men warning, how they trusted themselves in the territories where he commanded.

The earl discharged himself of the rigour and severity of the sentence, and laid it upon " the council of war ; where himself not only forbore to be present, but would not suffer his brother, " who was an officer of the army, to stay there : " he said, " that he had conjured the court to proceed without any respect of favour or kindness to himself ; and that, as soon as he understood the judgment of the council, which was unanimous, he declared publicly, (which he had likewise done before,) that a hair of his head should not perish ; and immediately wrote an earnest letter to his majesty, for the procuring his pardon ; which was by his majesty, upon his lordship's recommendation and mediation, granted accordingly ; and thereupon the lord Mountnorris was set at liberty : though, it is true, he was, after his enlargement, not suffered to come to England." He concluded, " that the lord Mountnorris was an insolent person ; and that he took this course to humble him ; and that he would be very well content, that the same course might be taken to reform him ; if the same care might likewise be, that it might prove no more to his prejudice, than the other had been to that lord."

But the standers by made another excuse for him : " The lord Mountnorris was a man of great industry, activity, and experience in the affairs of Ireland ; having raised himself from a very private, mean condition " (having been an inferior servant to the lord Chichester) " to the degree of a viscount, and a privy-counsellor, and to a very ample revenue in lands and offices ; and had always, by servile flattery and sordid application, wrought himself into trust and nearness with all deputies, at their first entering upon their charge, informing them of the defects and oversights of their predecessors ; and, after the determination of their commands, and return into England, informing the state here, and those enemies they usually contracted in that time, of whatsoever they had done, or suffered to be done, amiss ; whereby they either suffered disgrace, or damage, as soon as they were recalled from those honours. " And in this manner he began with his own master, the lord Chichester ; and continued the same arts upon the lord Grandison, and the lord Falkland, who succeeded ; and, upon that score, procured admission and trust with the earl of Strafford, upon his first admission to that government : so that this dilemma seemed unquestionable, that either the deputy of Ireland must destroy my lord Mountnorris, whilst he continued in his office, or my lord Mountnorris must destroy the deputy, as soon as his commission was determined, which usually lasted not above six years." And upon this consideration, besides that his no virtue made him unpitied, many looked with less concernedness upon that act, than the matter itself in the logic of it deserved.

The case of the lord chancellor seemed, to common understandings, an act of less violence, because it concerned not life ; and had some show of formality at least, if not regularity in the proceeding ; and that which was amiss in it took its

growth from a nobler root than the other, by how much love is a more honourable passion than revenge. The endeavour was, to compel the lord chancellor to settle more of his land, and in another manner, upon his eldest son, than he had a mind to, and than he could legally be compelled to do : this the earl, upon a paper petition preferred to him by the wife of that son, (a lady, of whom the earl had so great a value and esteem, that made his justice the more suspected,) pressed, and in the end ordered him to do. The chancellor refused ; was committed to prison ; and shortly after, the great seal taken from him, which he had kept with great reputation of ability for the space of above twenty years. In the pressing this charge, many things of levity, as certain letters of great affection and familiarity from the earl to that lady, which were found in her cabinet after her death, for she was lately dead ; others of passion, were exposed to the public view ; to procure prejudice rather to his gravity and discretion, than that they were in any degree material to the business.

The earl said little more to it, than " that he hoped, what passion soever, or what injustice soever, might be found in that proceeding, and sentence, there would be no treason : and that, for his part, he had yet reason to believe, what he had done was very just ; since it had been reviewed by his majesty, and his privy-council here, upon an appeal from the lord viscount Ely, " (the degraded lord chancellor,) and upon a solemn hearing there, which took up many days, it had received a confirmation."

But the truth is, that rather accused the earl of an excess of power, than absolved him of injustice ; for most men, that weighed the whole matter, believed it to be a high act of oppression, and not to be without a mixture of that policy, which was spoken of before in the case of the lord Mountnorris : for the chancellor, being a person of great experience, subtilty, and prudence, had been always very severe to departed deputies ; and not over agreeable, nor in any degree submissive, to their full power ; and taking himself to be the second person of the kingdom, during his life, thought himself little less than equal to the first, who could naturally hope but for a term of six years in that superiority : neither had he ever before met with the least check, that might make him suspect a diminution of his authority, dexterity, or interest.

That which was with most solemnity and expectation alleged against the earl, as the hinge upon which the treason was principally to hang, was a discourse of the earl's in the committee of state (which they called the *cabinet council*) upon the dissolution of the former parliament. Sir Harry Vane, the secretary of state, gave in evidence, " That the king at that time calling that committee to him, asked them, since he failed of the assistance and supply he expected by subsidies, what course he should now take ? that the earl of Strafford answered, Sir, you have now done your duty, and your subjects have failed in theirs ; and therefore you are absolved from the rules of government, and may supply yourself by extraordinary ways ; you must prosecute the war vigorously ; you have an army in Ireland, with which you may reduce this kingdom."

The earl of Northumberland being examined, for the confirmation of this proof, remembered only, " that the earl had said, You have done your duty,

"and are now absolved from the rules of government;" but not a word of the army in Ireland, or reducing this kingdom. The lord marquis Hamilton, the lord bishop of London, and the lord Cottington, being likewise examined, answered upon their oaths, "that they heard none of those words spoken by the earl." And these were the only persons present at that debate, save only the archbishop of Canterbury, and Secretary Windbank, neither of which could be examined, or would be believed.

The earl positively denied the words; alleged "much animosity to be in sir Harry Vane towards him;" and observed, "that not one of the other witnesses, who were likewise present, and as like to remember what was spoken as the secretary, heard one word of the Irish army, or reducing this kingdom: that, if he had spoken those words, it could not be understood to be spoken of England, but of Scotland, of which the discourse was, and for which that army was known to be raised." He concluded, "that if the words were spoken by him, which he expressly denied, they were not treason; and if they were treason, that, by a statute made in Edward the Sixth's time, one witness was not sufficient to prove it, and that here was but one."

Seventeen days being spent in these skirmishes; the earl having defended himself with wonderful dexterity and ability, concluded, "that if the whole charge (in which he hoped he had given their lordships satisfaction of his loyalty and integrity, how great soever his infirmities were) was proved, that the whole made him not guilty of high treason; and to that purpose desired, that his learned counsel might be heard;" and most pathetically conjured their lordships, "that, for their own sakes, they would not, out of displeasure or disfavour towards his person, create a precedent to the prejudice of the peerage of England, and wound themselves through his sides;" which was good counsel; and hath been since (though too late) acknowledged to be so.

The next day, his counsel was heard in the same place to the matter of law. And here I cannot pass by an instance of as great animosity, and indirect prosecution, in that circumstance of assigning him counsel, as can be given. After the house of peers had assigned him such counsel as he desired, to assist him in matter of law, (which never was, or can justly be denied to the most scandalous felon, the most inhuman murderer, or the most infamous traitor,) the house of commons, upon some occasion, took notice of it with passion and dislike, somewhat unskilfully, "that such a thing should be done without their consent;" which was no more, than that the judge should be directed by the prosecutor, in what manner to proceed and determine: others, with much bitterness, inveighing against "the presumption of those lawyers, that durst be of counsel with a person accused by them of high treason;" and moving, "that they might be sent for, and proceeded against for that contempt:" whereas, they were not only obliged to it, by the honour and duty of their profession; but had been punishable for refusing to submit to the lords' orders. The matter was too gross to receive any public order, and so the debate ended; but served (and no doubt that was the intention) to let those gentlemen know, how warily they were to demean themselves, lest the anger of

that terrible congregation should be kindled against them.

But truly I have not heard that it made any impression upon those persons; it did not, I am sure, upon Mr. Lane, who argued the matter of law for the earl. The matters which were by him principally insisted on, and averred with such confidence as a man uses who believes himself, were these:

"1. That by the wisdom and tenderness of parliaments, which knew that there could not be a greater snare for the subject, than to leave the nature of treason undefined and unlimited, all treasons were particularly mentioned and set down in the statute of the 25 Edw. III. *de Proditionibus*. That nothing is treason, but what is comprehended within that statute; all treasons before that statute, as killing the king's uncle, his nurse, piracy, and divers others, being restrained and taken away by the declaration of that act. And that no words or actions, in any of the articles of the earl of Strafford's charge, did amount to treason within that statute.

"2. That by reason of the clause in that statute, of declaring treason in parliament, divers actions were declared to be treasons in parliament, in the time of king Richard the Second, to the great prejudice of the subject: it was therefore specially provided, and enacted, by a statute in the first year of the reign of king Henry the Fourth, chapter the tenth, which is still in force, that nothing should be declared and adjudged treason, but what was ordained in that statute of the 25 Edw. III. by which statute, all power of declaring new treasons in parliament was taken away; and that no precedent of any such declaration in parliament can be shewed since that time: all new treasons, made by any act of parliament in the reign of king Henry the Eighth, being by the statute of the first year of queen Mary, chapter the first, taken away, and restrained by the 25th Edw. III. and likewise that, by another statute of the first year of queen Mary, chapter the tenth, all trials of treasons ought to be according to the rules of the common law, and not otherwise.

"3. That the foundation, upon which the impeachment was framed, was erroneous; for that (besides that it was confessed on all hands, that the laws of the kingdom were not subverted) an endeavour to subvert the fundamental laws and statutes of the realm, by force attempted, is not treason, being only made felony by the statute of the first year of queen Mary, chapter the twelfth; which is likewise expired. That cardinal Wolsey, in the thirty-third year of king Henry the Eighth, was indicted only of a premunire, for an endeavour to bring in the imperial laws into this kingdom. And that an endeavour, or intention, to levy war, was made treason, only by a statute of the 13th Elizabeth, (a time very inquisitive for treason,) which expired with her life.

"4. Lastly, that if any thing was alleged against the earl which might be penal to him, that it was not sufficiently and legally proved; for that by the statute of the first year of king Edward the Sixth, chapter the twelfth, no man ought to be arraigned, indicted, or condemned, of any treason, unless it be upon the testimony of two lawful and sufficient witnesses, produced in the presence of the party accused; unless the party confess the



"same : and if it be for words, within three months after the same spoken, if the party be within the kingdom : whereas there was in this case only one witness, sir Henry Vane, and the words spoken six months before."

The case being thus stated on the earl's behalf, the judgment of the lords, in whom the sole power of judicature was conceived to be, was by all men expected ; the house of commons having declared, "that they intended not to make any reply to the argument of law made by Mr. Lane, it being below their dignity to contend with a private lawyer." Indeed they had a more convincing way to proceed by ; for the next day after that argument, sir Arthur Haslerig, brother-in-law to the lord Brooke, and an absurd, bold man, brought up by Mr. Pym, and so employed by that party to make any attempt, preferred a bill in the house of commons, "for the attainder of the earl of Strafford of high treason : " it being observed, that by what the earl had said for himself in the matter of fact and in matter of prudence, of the consequence of such an extraordinary proceeding ; and by what had been said for him in the point of law ; most sober men, who had been, and still were, full enough of dislike and passion against the earl, were not at all satisfied in the justice of the impeachment, or in the manner of the prosecution ; and therefore, that the house of peers, which consisted of near one hundred and twenty, besides the bishops, and of whom fourscore had been constantly attending the trial, were not like to take upon them the burden of such a judgment as was expected.

The bill was received with wonderful alacrity, and immediately read the first and the second time, and so committed ; which was not usual in parliaments, except in matters of great concernment and conveniency in the particular ; or of little importance or moment to the general. Those who at first consented, upon slight information, to his impeachment, upon no other reason, but (as hath been said before) because they were only to accuse, and the lords to judge, and so thought to be troubled no more with it, being now as ready to judge, as they had been to accuse, finding some new reasons to satisfy themselves, of which one was, "They had gone too far to sit still, or retire."

A day or two before the bill of attainder was brought into the house of commons, there was a very remarkable passage, of which the pretence was, "to make one witness, with divers circumstances, as good as two ;" though I believe it was directed in truth to an end very foreign to that which was proposed. The words of the earl of Strafford, by which "his endeavour to alter the frame of government, and his intention to levy war," should principally appear, were proved singly by sir Henry Vane ; which had been often averred, and promised, should be proved by several witnesses ; and the law was clear, "that less than two witnesses ought not to be received in case of treason."

To make this single testimony appear as sufficient as if it had been confirmed by more, Mr. Pym informed the house of commons, "of the grounds upon which he first advised that charge, and was satisfied that he should sufficiently prove it. That some months before the beginning of this parliament, he had visited young sir Henry Vane, eldest son to the secretary, who was then newly recovered from an ague ; that being together,

"and condoling the sad condition of the kingdom, by reason of the many illegal taxes and pressures, sir Harry told him, if he would call upon him the next day, he would shew him some- what that would give him much trouble, and inform him what counsels were like to be followed to the ruin of the kingdom ; for that he had, in perusal of some of his father's papers, accidentally met with the result of the cabinet council upon the dissolution of the last parliament, which comprehended the resolutions then taken.

"The next day he shewed him a little paper of the secretary's own writing ; in which was contained the day of the month, and the results of several discourses made by several counsellors ; with several hieroglyphics, which sufficiently expressed the persons by whom those discourses were made. The matter was of so transcendent a nature, and the counsel so prodigious, with reference to the commonwealth, that he desired he might take a copy of it ; which the young gentleman would by no means consent to, fearing it might prove prejudicial to his father. But when Mr. Pym informed him, that it was of extreme consequence to the kingdom, and that a time might probably come, when the discovery of this might be a sovereign means to preserve both church and state, he was contented that Mr. Pym should take a copy of it ; which he did, in the presence of sir Henry Vane ; and having examined it together, delivered the original again to sir Henry. He said that he had carefully kept this copy by him, without communicating the same to any body, till the beginning of this parliament, which was the time he conceived fit to make use of it ; and that then, meeting with many other instances of the earl's disposition to the kingdom, it satisfied him to move whatsoever he had moved, against that great person."

And having said thus much, he read the paper in his hand ; in which the day of the month was set down, and his majesty to be present, and stating the question to be, "What was now to be done ? since the parliament had refused to give subsidies for the supply of the war against Scotland." There were then written two *LL*'s and a *t* over, and an *l* and an *r*, which was urged, "could signify nothing but lord lieutenant of Ireland ;" and the words written and applied to that name were, "Absolved from rules of government ; — Prosecute the war vigorously ; — An army in Ireland to subdue this kingdom ;" which was urged, "to comprehend the matter of the earl's speech and advice : " that paper by fractions of words (without mentioning any formed speech) containing only the results of the several counsellors' advice. Before those letters which were ordered to signify the lieutenant of Ireland, were an *A.B.C.G.* which might be understood to signify, the archbishop of Canterbury his grace ; and at those letters, some short, sharp expressions against parliaments, and thereupon fierce advice to the king. Next in the paper, was an *M* with an *r* over, and an *Ho*, which were to be understood for marquis Hamilton, who was master of the horse ; and the words annexed thereunto seemed to be rough, but without a supplement signified nothing. Then there was an *L*, an *H*, and an *A*, which must be interpreted lord high admiral, which was the earl of Northumberland ; and from that hieroglyphic proceeded only a few words, which implied



advice to the king, "to be advised by his parliament." Then there was *L<sup>d</sup> Cott.* (which would easily be believed to signify the lord Cottington) with some expressions as sharp as those applied to the lieutenant of Ireland.

When he had read this paper, he added ; " That though there was but one witness directly in the point, sir Henry Vane the secretary, whose handwriting that paper was, whereof this was a copy ; yet he conceived, those circumstances of his and young sir Henry Vane's having seen those original results, and being ready to swear, that the paper read by him was a true copy of the other, might reasonably amount to the validity of another witness : and that it was no wonder, that the other persons mentioned in that writing, who had given as bad counsel, would not remember, for their own sakes, what had passed in that conference ; and that the earl of Northumberland (who was the only good counsellor in the pack) had remembered some of the words, of a high nature, though he had forgotten the other."

When Mr. Pym had ended, young sir Harry Vane rose, in some seeming disorder ; confessed all that the other had said ; and added, " That his father being in the north with the king the summer before, had sent up his keys to his secretary, then at Whitehall ; and had written to him (his son) that he should take from him those keys, which opened his boxes where his writings and evidences of his land were, to the end that he might cause an assurance to be perfected which concerned his wife ; and that he having perused those evidences, and despatched what depended thereupon, had the curiosity to desire to see what was in a red velvet cabinet which stood with the other boxes ; and thereupon required the key of that cabinet from the secretary, as if he still wanted somewhat towards the business his father had directed ; and so having gotten that key, he found, amongst other papers, that mentioned by Mr. Pym, which made that impression in him, that he thought himself bound in conscience to communicate it to some person of better judgment than himself, who might be more able to prevent the mischiefs that were threatened therein ; and so shewed it to Mr. Pym ; and being confirmed by him, that the seasonable discovery thereof might do no less than preserve the kingdom, had consented that he should take a copy thereof ; which to his knowledge he had faithfully done : and thereupon had laid the original in its proper place again, in the red velvet cabinet. He said, he knew this discovery would prove little less than his ruin in the good opinion of his father ; but having been provoked by the tenderness of his conscience towards his common parent, his country, to trespass against his natural father, he hoped he should find compassion from that house, though he had little hopes of pardon elsewhere."

The son no sooner sat down, than the father (who, without any counterfeiting, had a natural appearance of sternness) rose, with a pretty confusion, and said, " That the ground of his misfortune was now discovered to him ; that he had been much amazed, when he found himself pressed by such interrogatories, as made him suspect some discovery to be made, by some person as conversant in the counsels as himself : but he

" was now satisfied to whom he owed his misfortunes ; in which, he was sure, the guilty person should bear his share. That it was true, being in the north with the king ; and that unfortunate son of his having married a virtuous gentlewoman, (daughter to a worthy member then present,) to whom there was somewhat in justice and honour due, which was not sufficiently settled ; he had sent his keys to his secretary ; not well knowing in what box the material writings lay ; and directed him to suffer his son to look after those evidences which were necessary : that by this occasion, it seemed, those papers had been examined and perused, which had begot much of this trouble. That for his part, after the summons of this parliament, and the king's return to London, he had acquainted his majesty, that he had many papers remaining in his hands, of such transactions as were not like to be of further use ; and therefore, if his majesty pleased, he would burn them, lest by any accident they might come into hands that might make an ill use of them : to which his majesty consenting, he had burned many ; and amongst them, the original results of those debates, of which that which was read was pretended to be a copy : that to the particulars he could say nothing more, than what he had upon his examination expressed, which was exactly true, and he would not deny ; though by what he had heard that afternoon (with which he was surprised and amazed) he found himself in an ill condition upon that testimony."

This scene was so well acted, with such passion and gestures, between the father and the son, that many speeches were made in commendation of the conscience, integrity, and merit of the young man, and a motion made, " that the father might be enjoined by the house to be friends with his son : " but for some time there was, in public, a great distance observed between them.

Many men wondered very much at the unnecessary relation of this story ; which would visibly appear very ridiculous to the world, and could not but inevitably produce much scandal and inconvenience to the father, and the son ; who were too wise to believe, that those circumstances would add any thing to the credit of the former single testimony : neither was there ever after any mention of it in public, to move the judgment of those, who were concerned to be satisfied in what they were to do : and therefore some, who observed the stratagems used by that party to compass their own private ends, believed that this occasion was taken to publish those results, only to give the lord Cottington notice in what danger he was, that so he might wisely quit his mastership of the wards to the lord Say ; who expected it, and might be able, by that obligation, to protect him from farther prosecution : and so that they meant to sacrifice the reputation of the secretary to the ambition of the lord Say. But without doubt (though this last consideration was very powerful with them) the true reason of the communication of this passage was, that they found it would be impossible to conceal their having received the principal information from the secretary, for their whole prosecution ; by reason some of the committee, who were intrusted to prepare the charge against the earl of Strafford, and consequently were privy to that secret, were fallen from them ; at least from

their ends ; and therefore they thought fit to publish this history of their intelligence, that it might be rather imputed to the conscience and curiosity of the son, than to the malice and perjury of the father.

The bill of attainder in few days passed the house of commons ; though some lawyers, of great and known learning, declared, "that there was no ground or colour in law, to judge him guilty of high treason : " and the lord Digby (who had been, from the beginning, of that committee for the prosecution, and had much more prejudice than kindness to the earl) in a very pathetic speech declared, "that he could not give his consent to the bill ; not only, for that he was unsatisfied in the matter of law, but, for that he was more unsatisfied in the matter of fact ; those words, upon which the impeachment was principally grounded, being so far from being proved by two witnesses, that he could not acknowledge it to be by one ; since he could not admit sir Harry Vane to be a competent witness, who being first examined, denied that the earl spake those words ; and upon his second examination, remembered some ; and at his third the rest of the words : " and thereupon related many circumstances, and made many sharp observations upon what had passed ; which none but one of the committee could have done : for which he was presently after questioned in the house ; but made his defence so well, and so much to the disadvantage of those who were concerned, that from that time they prosecuted him with an implacable rage and uncharitableness upon all occasions. The bill passed with only fifty-nine dissenting voices, there being near two hundred in the house ; and was immediately sent up to the lords, with this addition, "that the commons would be ready the next day in Westminster-hall, to give their lordships satisfaction in the matter of law, upon what had passed at the trial."

The earl was then again brought to the bar ; the lords sitting as before, in their robes ; and the commons as they had done ; amongst them, Mr. Saint-John, (whom his majesty had made his solicitor general since the beginning of parliament,) from his place, argued for the space of near an hour the matter of law. Of the argument itself I shall say little, it being in print, and in many hands ; I shall only remember two notable propositions, which are sufficient characters of the person and the time. Lest what had been said on the earl's behalf, in point of law, and upon the want of proof, should have made any impression in their lordships, he averred, "That, in that way of bill, private satisfaction to each man's conscience was sufficient, although no evidence had been given in at all : " and as to the pressing the law, he said, " It was true, we give law to hares and deer, because they be beasts of chase ; but it was never accounted either cruelty, or foul play, to knock foxes and wolves on the head as they can be found, because they be beasts of prey." In a word, the law and the humanity were alike ; the one being more fallacious, and the other more barbarous, than in any age had been vented in such an auditory.

The same day, as a better argument to the lords speedily to pass the bill, the nine and fifty members of the house of commons, who (as is said before) had dissented from that act, had their

names written in pieces of parchment or paper, under this superscription, *STRAFFORDIANS, or enemies to their country* ; and those papers fixed upon posts, and other the most visible places about the city ; which was as great and destructive a violation of the privileges and freedom of parliament, as can be imagined : yet, being complained of in the house, not the least countenance was given to the complaint, or the least care taken for the discovery.

The persons, who had still the conduct of the designs, began to find, that their friends abroad (of whose help they had still great need, for the getting petitions to be brought to the house ; and for all tumultuous appearances in the city ; and negotiations with the common council) were not at all satisfied with them, for their want of zeal in the matter of religion ; and, though they had branded as many of the bishops, and others of the prelatical party, as had come in their way ; and received all petitions against the church with encouragement : yet, that there was nothing done, or visibly in projection to be done, towards lessening their jurisdiction ; or indulging any of that liberty to their weak brethren, which they had from the beginning expected from them. And then, the discourse of their ambition, and hopes of preferment at court, was grown public, and raised much jealousy of them.

But the truth is, they who had made in their hearts the most destructive vows against the church, never durst communicate their bloody wishes to their best friends, whose authority gave them their greatest credit. For besides that their own clergy, whose hands they produced in great numbers to complaints against the innovations, which had (as they said) been introduced ; and against the ceremonies, which had been in constant practice since the reformation, as well as before ; were far from being of one mind in the matter or manner of what they wished should be altered ; as appeared whenever they appeared before the house, or a committee, when any of them were asked questions they did not expect ; there was less consent amongst their lay-friends, in ecclesiastical affairs, than amongst the other.

The earl of Bedford had no desire that there should be any alteration in the government of the church ; and had always lived towards my lord of Canterbury himself with all respect and reverence, and frequently visited and dined with him ; subscribed liberally to the repair of St. Paul's church, and seconded all pious undertakings : though, it is true, he did not discountenance notoriously those of the clergy who were unconformable.

The earl of Essex was rather displeased with the person of the archbishop, and some other bishops, than indevoted to the function ; and towards some of them he had great reverence and kindness, as bishop Moreton, bishop Hall, and some other of the less formal and more popular prelates : and he was as much devoted as any man to the Book of Common Prayer, and obliged all his servants to be constantly present with him at it ; his household chaplain being always a most conformable man, and a good scholar.

In truth, in the house of peers there were only at that time taken notice of, the lords Say and Brooke, and they believed to be positive enemies to the whole fabric of the church, and to desire a dissolution of that government ; the earl of War-

wick himself having never discovered any aversion to episcopacy, and much professed the contrary.

In the house of commons, though of the chief leaders, Nathaniel Fiennes, and young sir Harry Vane, and shortly after Mr. Hamden (who had not before owned it) were believed to be for root and branch; which grew shortly after a common expression, and discovery of the several tempers: yet Mr. Pym was not of that mind, nor Mr. Hollis, nor any of the northern men, or those lawyers who drove on most furiously with them: all who were pleased with the government itself of the church.

The first design that was entertained against the church; and which was received in the house of commons with a visible countenance and approbation of many, who were neither of the same principles or purpose; was a short bill that was brought in, "to take away the bishops' votes in parliament; and to leave them out in all commissions of the peace, and with relation to any temporal affairs." This was contrived, with great deliberation and preparation, to dispose men to consent to it: and to this many of the house of peers were much disposed; and amongst them, none more than the earl of Essex, and all the popular lords; who observed, "that they seldom carried any thing which directly opposed the king's interest, by [reason of] the number of the bishops, who, for the most part, unanimously concurred against it, and opposed many of their other designs: and they believed that it could do the church no harm, by the bishops having fewer diversions from their spiritual charges."

In the house of commons, they used that, and other arguments, to remove the prejudice from it; and, as there were many who were persuaded, that the passing that bill would be no prejudice; and were as unwilling, that the bishops should be justices of peace, and in any other secular commissions, as the lords were that they should not sit with them: so they prevailed with others, who heartily desired that there might be no such diminution of their honour and authority, by persuading them, "That there was so great a concurrence towards the passing this bill; and so great a combination throughout the nation against the whole government of the church, and a resolution to destroy it absolutely: in which the Scots were so resolutely engaged, that they discoursed in all companies, that it was impossible for a firm peace to be preserved between the nations, if bishops were not taken away; and that the army would never march out of the kingdom, till that were brought to pass: but that if this bill were once passed, a greater number in both houses would be so well satisfied, that the violent party would be never able to prosecute their desires." And this reason did prevail over many men of excellent judgments, and unquestionable affections; who did in truth at that time believe, "that the passing this act was the only expedient to preserve the church:" insomuch, as when it was brought into the house, it found a better reception than was expected; and some men, who, others thought, would have opposed it, spake on its behalf, expressing their desire "that it might pass."

There was a difference in opinion in this debate, between two persons, who had been never known to differ in the house, and the entire friendship they had for each other was very remarkable; which

administered much pleasure to very many who loved neither of them. When the bill was put to the question, Mr. Hyde (who was from the beginning known to be an enemy to it) spake very earnestly "for the throwing it out;" said, "It was changing the whole frame and constitution of the kingdom, and of the parliament itself: that, from the time that parliaments began, there had never been one parliament, when the bishops were not part of it: that if they were taken out of the house, there would be but two estates left; for that they as the clergy were the third estate, and being taken away, there was nobody left to represent the clergy: which would introduce another piece of injustice, which no other part of the kingdom could complain of, who were all represented in parliament, and were therefore bound to submit to all that was enacted, because it was upon the matter with their own consent: whereas, if the bishops were taken from sitting in the house of peers, there was nobody who could pretend to represent the clergy; and yet they must be bound by their determinations."

When he had done, the lord Falkland, who always sat next to him, (which was so much taken notice of, that, if they came not into the house together, as usually they did, every body left the place for him that was absent,) suddenly stood up, and declared himself "to be of another opinion; and that, as he thought the thing itself to be absolutely necessary for the benefit of the church, which was in so great danger; so he had never heard, that the constitution of the kingdom would be violated by the passing that act; and that he had heard many of the clergy protest, that they could not acknowledge that they were represented by the bishops. However we might presume, that if they could make that appear, that they were a third estate, that the house of peers (amongst whom they sat, and had yet their votes) would reject it." And so, with some facetiousness, answering some other particulars, concluded, "for the passing the act."

The house was so marvellously delighted, to see the two inseparable friends divided in so important a point, that they could not contain from a kind of rejoicing; and the more, because they saw Mr. Hyde was much surprised with the contradiction; as in truth he was; having never discovered the least inclination in the other towards such a compliance: and therefore they entertained an imagination and hope that they might work the lord Falkland to a farther concurrence with them. But they quickly found themselves disappointed; and that, as there was not the least interruption of close friendship between the other two; so, when the same argument came again into debate, about six months after, the lord Falkland changed his opinion, and gave them all the opposition he could: nor was he reserved in acknowledging, "that he had been deceived, and by whom;" and confessed to his friends, with whom he would deal freely, "that Mr. Hamden had assured him, that if that bill might pass, there would be nothing more attempted to the prejudice of the church:" which he thought, as the world then went, would be no ill composition.

This bill, for taking away the bishops' votes out of the house of peers, produced another discovery, which cast the conductors farther behind, than they were advanced by their conquest amongst the

commons; and disquieted them much more, than the other had exalted them. How currently soever it had passed in the lower house; when it was brought to the upper, the lords gave it not so gracious a reception as was expected: many of the greatest men of that house grew weary of the empire which the others had exercised over them; and some, who had gone with them, upon their observation that they had worse designs than they owned, fell from them, and took the opportunity to discover themselves, upon the debate of this bill; against which they inveighed with great sharpness; and blamed the house of commons, "for presuming to meddle with an affair, that so immediately concerned them: that if they might send up a bill this day, at once to take out one whole bench from the house, as this would do the bishops, they might to-morrow send another, to take away the barons, or some other degree of the nobility:" with many more arguments, as the nature of the thing would easily administer; with such warmth and vigour as they had not before expressed: insomuch as, though the other party, which had not hitherto been withstood, set up their rest upon the carrying it; supplying their other arguments with that, "How much the house of commons, which best knew the temper and expectation of the nation, would resent their not concurring with them in a remedy they judged so necessary; and what the consequence might be, of such a breach between the two houses, they trembled to think; since the kingdom had no hope of being preserved but by their union, and the effects of their wisdom, in removing all things, and all persons, out of the way, which were like to obstruct such a thorough reformation, as the kingdom needs and expects;" all which prevailed so little, that the house could not be prevailed with, so much as to commit the bill, (a countenance they frequently give to bills they never intend to pass,) but at the second reading it, they utterly cast it out.

This unexpected and unimagined act cast such a damp upon the spirits of the governing party in both houses, that they knew not what to do: the mischiefs which were in view, by this discovery of the temper of the house of peers, had no bottom; they were not now sure, that they should be able to carry any thing; for the major part, which threw out this bill, might cross them in any thing they went about: besides the influence it would have in the house of commons, and every where else; for they very well knew, how many of their followers therefore followed them, because they believed they would carry all before them.

However, that their spirits might not be thought to fail, they made haste to proceed in all the angry and choleric things before them: to the trial of the earl of Strafford; impeaching several bishops for innovations, and the like; the house of commons being very diligent to kindle those fires which might warm the peers: and that the bishops might see how little they had gotten, by obstructing the other bill, they prepared a very short bill, "for the utter eradication of bishops, deans, and chapters; with all chancellors, officials, and all officers, and other persons belonging to either of them:" which they prevailed with sir Edward Deering, a man very opposite to all their designs, (but a man of levity and vanity; easily flattered, by being commended,) who presented

it to the house from the gallery, with the two verses in Ovid, the application whereof was his greatest motive;

*Cuncta prius tentanda, sed immedicabile vulnus  
Ense recidendum est, ne pars sincera trahatur.*

He took notice "of the great moderation and candour of the house, in applying so gentle a remedy, by the late bill, to retrench the exorbitances of the clergy: hoping that the pruning and taking off a few unnecessary branches from the trunk, the tree might prosper the better; that this mortification might have mended their constitution, and that they would the more carefully have intended their health: but that this soft remedy had proved so ineffectual, that they were grown more obstinate and incorrigible; so that it was now necessary to put the axe to the root of the tree;" and thereupon desired, "that the bill might be read."

As soon as the title of it was read, (which was almost as long as the bill itself,) Mr. Hyde moved with great warmth, "that the bill might not be read: that it was against the custom and rule of parliament, that any private person should take upon him (without having first obtained the leave and direction of the house) to bring in a new act, so much as to abrogate and abolish any old single law; and therefore, that it was a wonderful presumption in that gentleman, without any communication of his purpose, or so much as a motion that he might do it, to bring in a bill, that overthrew and repealed so many acts of parliament, and changed and confounded the whole frame of the government of the kingdom:" and therefore desired, "that it might be rejected." The gentleman who brought it in made many excuses "of his ignorance in the customs of parliament, having never before served in any;" and acknowledged, "that he had never read more than the title of the bill; and was prevailed with by his neighbour who sat next to him (who was sir Arthur Haslerig) to deliver it;" which he saw would have been done by somebody else. Though the rejecting it was earnestly urged by very many; and ought, by the rules of parliament, to have been done; yet, all the other people as violently pressed the reading it; and none so importunately as Saint-John, who was now the king's solicitor (who in truth had drawn it:) he said, "nobody could judge of a bill by the title, which might be false; and this bill, for aught any man knew to the contrary, at least, for aught he and many others knew, might contain the establishing the bishops, and granting other immunities to the church; instead of pursuing the matter of the title:" and others, as uningeniously declaring, "that our orders are in our own power, and to be altered, or dispensed with, as we see cause:" many out of curiosity desiring to hear it read; and more to shew the lords that they would not abate their mettle; upon their declaring their pleasure, the bill was at last read; and no question being to be put, upon the first reading, it was laid by, and not called upon in a long time after; many men being really persuaded, that there was no intention to pursue it; and that it was only brought in, to manifest a neglect towards the lords.

When the house grew entangled in multiplicity of business and despatches now, the northern

gentlemen, at least they who were most active, and had most credit, (as Hotham, and Cholmely, and Stapleton,) were marvellously solicitous to despatch the commitment of [the bill "for taking away] the court of York;" and having after great debate, and hearing what all parties interested could offer, gotten the committee to vote, "That it was an illegal commission, and very prejudicial to the liberty and the property of his majesty's subjects of those four northern counties, where that jurisdiction was exercised;" they called upon Mr. Hyde (the chairman) to make the report: and the house having concurred in, and confirmed, the same vote; they appointed him "to prepare himself to deliver the opinion of the house (they having confirmed the vote of the committee) at a conference with the house of peers, and to desire their concurrence in it; and that they would thereupon be suitors to the king, that there might be no more commissions of that kind granted:" for they had a great apprehension, that either upon the earl of Strafford's resignation, or his death, (which they resolved should be very shortly,) they should have a new president put over them.

Mr. Hyde, at the conference in the painted chamber, (being appointed by the house to manage it,) told the lords, "that the four northern counties were suitors to their lordships, that they might not be distinguished from the rest of his majesty's subjects, in the administration of his justice, and receiving the fruits thereof; that they only were left to the arbitrary power of a president and council, which every day procured new authority and power to oppress them:" he told them, that till "[the thirty-first] year of king Harry the Eighth, the administration of justice was the same in the north, as in the west, or other parts of the realm; that about that time there was some insurrection in that country, which produced great disorders and bloodshed, which spread itself to the very borders of Scotland: whereupon that king issued out a commission to the archbishop of York, and the principal gentlemen of those counties, and some learned lawyers, to examine the grounds of all those disorders, and to proceed against the malefactors with all severity, according to the laws of the land." He read that first commission to them; which appeared to be no other, than a bare commission ofoyer and terminer. "It was found that this commission did much good, and therefore it was kept on foot for some time longer than such commissions use to be; and it was often renewed after, but still in the same form, or very little alteration, till queen Elizabeth's time; and then there was some alteration in the commission itself; besides that, it had reference to instructions, which contained matters of state upon some emergent occasions: there were more and greater alterations, both in the commission and instructions, in the time of king James, when the lord Scroop was president; and that, when the lord Strafford was first made president, they were more enlarged; and yet he had procured new additions to be made twice after." The instructions of the several times were read; and the alterations observed; and some precedents very pertinently and smartly urged; in which it appeared, that great men had been very severely sentenced, in no less penalty than of a premunire, for procuring and executing such commissions:

and concluded with "desiring the lords to concur in the same sense, the house of commons had expressed themselves to be of, with reference to the commission and instructions."

The speech, and argument, had a wonderful approbation in both houses; where he got great credit by it: and the earl of Bath, who was to report it, and had no excellent or graceful pronunciation, came himself to Mr. Hyde, and "desired a copy of it, that he might not do him wrong in the house, by the report;" and having received it, it was read in the house, and by order entered, and the paper itself affixed to their Journal; where it still remains; and the house of peers fully concurred with the commons in their vote: so that there was not, in many years after, any attempt, or so much as mention of another commission.

And the northern men were so well pleased, that they resolved to move the house, "to give Mr. Hyde public thanks for the service he had done the house;" but the principal leaders diverted them from it, by saying, "that he had too much credit already, and needed not such an addition, as he behaved himself." However, those northern men themselves continued marvellously kind; and on his behalf, on all occasions, opposed any combination of the most powerful of them against him; of which somewhat will be said hereafter.

In the afternoon of the same day (when the conference had been in the painted chamber upon the court of York) Mr. Hyde going to a place called Piccadilly, (which was a fair house for entertainment and gaming, and handsome gravel walks with shade, and where were an upper and lower bowling-green, whither very many of the nobility, and gentry of the best quality, resorted, both for exercise and conversation,) as soon as ever he came into the ground, the earl of Bedford came to him; and after some short compliments upon what had passed in the morning, he told him, "He was glad he was come thither, for there was a friend of his in the lower ground, who needed his counsel." He then lamented "the misery the kingdom was like to fall into, by their own violence, and want of temper, in the prosecution of their own happiness." He said, "This business concerning the earl of Strafford was a rock, upon which we should all split, and that the passion of the parliament would destroy the kingdom: that the king was ready to do all they could desire, if the life of the earl of Strafford might be spared: that he was satisfied, that he had proceeded with more passion in many things, than he ought to have done, by which he had rendered himself useless to his service for the future; and therefore he was well contented, that he might be made incapable of any employment for the time to come; and that he should be banished, or imprisoned for his life, as they should choose: that if they would take his death upon them, by their own judicatory, he would not interpose any act of his own conscience: but since they had declined that way, and meant to proceed by an act of parliament, to which he himself must be a party, that it could not consist with his conscience, ever to give his royal assent to that act; because, having been present at the whole trial," (as he had been, in a box provided on purpose, *incognito*, though conspicuous enough,) "and heard all the testimony they had given against him, and he had heard nothing proved, by which he could

"believe that he was a traitor, either in fact or in intention: and therefore his majesty did most earnestly desire, that the two houses would not bring him a bill to pass, which in conscience he could not, and therefore would not consent."

The earl said; "Though he yet was satisfied so well in his own conscience, that he believed he should have no scruple in giving his own vote for the passing it," (for it yet depended in the lords' house,) "he knew not how the king could be pressed to do an act so contrary to his own conscience; and that, for his part, he took all the pains he could to persuade his friends to decline their violent prosecution, and to be contented with the remedy proposed by the king; which he thought might be rendered so secure, that there need remain no fears of that man's ever appearing again in business: and that how difficult a work soever he found it to be, he should not despair of it, if he could persuade the earl of Essex to comply; but that he found him so obstinate, that he could not in the least degree prevail with him; that he had left his brother, the earl of Hertford, (who was that day made a marquis,) in the lower ground, walking with him, who he knew would do all he could; and he desired Mr. Hyde to walk down into that place, and take his turn, to persuade him to what was reasonable;" which he was very willing to do.

He found the marquis and the earl walking there together, and no other persons there; and as soon as they saw him, they both came to him; and the marquis, after a short salutation, departed, and left the other two together; which he did purposely. The earl began merrily, in telling him, "That he had that morning performed a service, which he knew he did not intend to do; that by what he had said against the court of York, he had revived their indignation against the earl of Strafford; so that he now hoped, they should proceed in their bill against him with vigour, (whereas they had slept so long upon it,) which he said was the effect, of which he was sure he had no mind to be the cause." Mr. Hyde confessed, "he had indeed no such purpose; and hoped, that something he had said might put other thoughts into them, to proceed in another manner upon his crimes: that he knew well, that the cause of their having slept so long upon the bill, was their disagreement upon the point of treason, which the longer they thought of, would administer the more difficulties: but that, if they declined that, they should all agree, that there were crimes and misdemeanours evidently enough proved, to deserve so severe a censure, as would determine all the activity hereafter of the earl of Strafford, that might prove dangerous to the kingdom; or mischievous to any particular person, to whom he was not a friend."

He shook his head, and answered, "Stone-dead hath no fellow: that if he were judged guilty in a premunire, according to the precedents cited by him; or fined in any other way; and sentenced to be imprisoned during his life; the king would presently grant him his pardon and his estate, release all fines, and would likewise give him his liberty, as soon as he had a mind to receive his service; which would be as soon as the parliament should be ended." And when he was ready to reply to him, the earl told him familiarly, "that he had been tired that afternoon upon

"that argument, and therefore desired him to continue the discourse no longer then; assuring him, he would be ready to confer with him upon it at any other time."

And shortly after, Mr. Hyde took another opportunity to speak freely with him again concerning it, but found him upon his guard; and though he heard all the other would say, with great patience, yet he did not at all enlarge in his answers, but seemed fixed in his resolution; and when he was pressed, "how unjustifiable a thing it was, for any man to do any thing which his conscience informed him was sinful; that he knew him so well, that if he were not satisfied in his own conscience, of the guilt of the earl of Strafford, the king could never be able to oblige him to give his vote for that bill; and therefore he wondered, how he could urge the king to do an act which he declared to be so much against his conscience, that he neither could, nor would, ever give his royal assent to that bill;" to which he answered more at large, and with some commotion, (as if he were in truth possessed with that opinion himself,) "That the king was obliged in conscience to conform himself, and his own understanding, to the advice and conscience of his parliament:" which was a doctrine newly resolved by their divines, and of great use to them for the pursuing their future counsels.

Notwithstanding all this, the bill had not that warm reception in the house of peers, that was expected; but, after the first reading, rested many days; and being then read the second time, depended long at the committee; few men believing, upon consideration of the affections and parts of the several lords, that of the fourscore, who were present at the trial, above twenty would ever have consented to that act: besides, it was not believed, now the formal trial and way of judicature was waved, the bishops would so stupidly (to say no worse) exclude themselves from voting in a law which was to be an act of parliament.

But there happened about that time two accidents, which (though not then, or it may be since, taken notice of, as of any moment or relation to that business) contributed strangely to the passing that bill; and so to the fate of that great person. The first, a discovery of some meetings and discourses, between some persons of near relation to his majesty's service, and some officers of the army, about the high proceedings of the parliament; and of some expedients, that might reduce them to a better temper; which were no sooner intimated to some of the great managers, than the whole was formed and shaped into "a formidable and bloody design against the parliament." The second, the sudden death of the earl of Bedford. Of both which it will be necessary to say somewhat; that it may be observed, from how little accidents, and small circumstances, by the art and industry of those men, the greatest matters have flowed, towards the confusion we now labour under.

Some principal officers of the army, who were members of the house of commons, and had been caressed, both before and after the beginning of the parliament, by the most popular agents of both houses; and had in truth contributed more to their designs, than was agreeable to their duty, and the trust reposed in them by the king; found themselves now not so particularly considered as they expected, by that party; and their credit in other

places, and particularly in the army, to be lessened : for that there was visibly much more care taken for the supply of the Scottish army, than of the king's ; insomuch, that sometimes money that was assigned and paid for the use of the king's army, was again taken away, and disposed to the other ; and yet, that the parliament much presumed, and depended, upon their interest in, and power to dispose, the affections of that army.

Therefore, to redeem what had been done amiss, and to ingratiate themselves to his majesty's favour, they bethought themselves how to dispose, or at least to pretend that they would dispose, the army to some such expressions of duty and loyalty towards the king, as might take away all hope from other men, that it might be applied to his disservice : and to that purpose, they had conference, and communication, with some servants of a more immediate trust and relation to both their majesties ; through whom they might convey their intentions and devotions to the king, and again receive his royal pleasure, and direction, how they should demean themselves. For aught I could ever observe, by what was afterwards reported in the house of commons ; or could learn from those who were conversant with all the secrets of that design ; there was never the least intention of working farther upon the affections of the army, than to preserve them from being corrupted, or made use of, for the imposing unjust or unreasonable things upon the king : and all that ever the king so much as consented should be done by them, was, that as most counties in England, or rather, the factious and seditious persons in most counties, had been induced to frame and subscribe petitions to the parliament, against the established government of the church, with other clauses, scandalous to the government of the state too ; [so] the officers of the army should subscribe this following petition ; which was brought ingrossed to his majesty for his approbation, before they would presume to recommend it to any for their subscription.

*To the king's most excellent majesty ; the lords spiritual and temporal ; the knights, citizens, and burgesses, now assembled in the high court of parliament.*

" The humble petition of the officers and soldiers of the army,

" Humbly sheweth, That although our wants have been very pressing, and the burden we are become unto these parts (by reason of those wants) very grievous unto us : yet so have we demeaned ourselves, that your majesty's great and weighty affairs, in this present parliament, have hitherto received no interruption, by any complaint, either from us, or against us ; a temper not usual in armies ; especially in one destitute not only of pay, but also of martial discipline, and many of its principal officers ; that we cannot but attribute it to a particular blessing of Almighty God, on our most hearty affections and zeal to the common good, in the happy success of this parliament ; to which, as we should have been ready hourly to contribute our dearest blood, so now that it hath pleased God to manifest his blessing so evidently therein, we cannot but acknowledge it with thankfulness ; as likewise his great mercy, in that he hath inclined your majesty's royal heart so to cooperate with the wisdom of the parliament, as to effect so

" great and happy a reformation upon the former distempers of this church and commonwealth : as first, in your majesty's gracious condescending to the many important demands of our neighbours of the Scottish nation ; secondly, in granting so free a course of justice against all delinquents of what quality soever ; thirdly, in the removal of all those grievances, wherewith the subjects did conceive either their liberty of persons, property, or estate, or freedom of conscience, prejudiced ; and lastly, in the greatest pledge of security that ever the subjects of England received from their sovereign, the bill of triennial parliament.

" These things so graciously accorded unto by your majesty, without bargain or compensation, as they are more than expectation or hope could extend unto, so now certainly they are such, as all loyal hearts ought to acquiesce in with thankfulness ; which we do with all humility, and do at this time, with as much earnestness as any, pray, and wish, that the kingdom may be settled in peace and quietness, and that all men may, at their own homes, enjoy the blessed fruits of your wisdom and justice.

" But it may please your excellent majesty, and this high court of parliament, to give us leave, with grief and anguish of heart, to represent unto you, that we hear that there are certain persons stirring and pragmatical, who, instead of rendering glory to God, thanks to your majesty, and acknowledgment to the parliament, remain yet as unsatisfied and mutinous as ever ; who, whilst all the rest of the kingdom are arrived even beyond their wishes, are daily forging new and unreasonable demands ; who, whilst all men of reason, loyalty, and moderation, are thinking how they may provide for your majesty's honour and plenty, in return of so many graces to the subject, are still attempting new diminutions of your majesty's just regalities, which must ever be no less dear to all honest men than our own freedoms ; in fine, men of such turbulent spirits, as are ready to sacrifice the honour and welfare of the whole kingdom to their private fancies, whom nothing else than a subversion of the whole frame of government will satisfy : far be it from our thoughts to believe, that the violence and unreasonableness of such kind of persons can have any influence upon the prudence and justice of the parliament. But that which begets the trouble and disquiet of our loyal hearts, at this present, is, that we hear those ill-affected persons are backed in their violence by the multitude and the power of raising tumults ; that thousands flock at their call, and beset the parliament, and Whitehall itself ; not only to the prejudice of that freedom which is necessary to great councils and judicatories, but possibly to some personal danger of your sacred majesty, and the peers.

" The vast consequence of these persons' malignity, and of the licentiousness of those multitudes that follow them, considered, in most deep care and zealous affection for the safety of your sacred majesty, and the parliament ; our humble petition is, that in your wisdom you would be pleased to remove such dangers, by punishing the ringleaders of these tumults, that your majesty and the parliament may be secured from such insolences hereafter. For the suppressing



"of which, in all humility we offer ourselves to wait upon you, (if you please,) hoping we shall appear as considerable in the way of defence, to our gracious sovereign, the parliament, our religion, and the established laws of the kingdom, as what number soever shall audaciously presume to violate them: so shall we, by the wisdom of your majesty and the parliament, not only be vindicated from precedent innovations, but be secured from the future, that are threatened, and likely to produce more dangerous effects than the former.

"And we shall pray," &c.

His majesty having read this petition, and conceiving that the authority of the army might seem of as great importance for the good reception of so much reason and justice, as the subscription of a rabble had been alleged often to be, for the countenance of what in truth was mutinous and seditious, said, "that he approved well enough of it, and was content that it might be subscribed by the officers of the army, if they desired it." The officer, who presented the draught to his majesty, told him, that very few of the army had yet seen it: and that it would be a great countenance to it, if, when it was carried to the principal officers who were first to sign it, any evidence might be given to them, that it had passed his majesty's approbation; otherwise possibly they might make scruple for fear of offending him." Thereupon his majesty took a pen, and writ at the bottom of the petition C. R. as a token that he had perused and allowed it: and so the petition was carried down into the country where the army lay, and was signed by some officers; but was suddenly quashed, and no more heard of, till in the discovery of the plot: of which more in its place.

The meetings continuing, between those officers of the army and some servants of his majesty's, to the ends aforesaid; others of the army, who had expressed very brisk resolutions towards the service, and were of eminent command and authority with the soldier, were by special direction introduced into those councils (all persons obliging themselves by an oath of secrecy, not to communicate anything that should pass amongst them) for the better executing what should be agreed.

At the first meeting, the person that was so introduced, after he had heard the calm propositions of the rest, and that "their design was, only to observe and defend the laws, that neither the arguments of the Scots, nor the reputation of their army, might compel the king to consent to the alteration of the government of the church, nor to remove the bishops out of the house of peers, which would, in a great degree, produce an alteration; or the power of any discontented persons, by their tumultuary petitions, impose upon, or diminish, the just legal power of the king," told them, "Those resolutions would produce very little effects for his majesty's service; that there was but one way to do his majesty notable service, which was by bringing up the army presently to London, which would so awe the parliament, that they would do any thing the king commanded." There was not (as I have been credibly informed) a man in the company, that did not perfectly abhor (or seemed so to do) that odious proposition; but contented themselves with making such objections against it, as rendered

it ridiculous and unpracticable; and so the meeting, for that time, dissolved.

Whether the person that proposed this desperate device, did it only as a bait, to draw an opinion from other men, (for he was of a perfect dislike and malice to some of the company,) or whether the disdain to see his counsel rejected, and the fear that it might be discovered to his disadvantage, wrought upon him, I know not; but the same, or the next day, he discovered all, and more than had passed, to some of those who seemed to take most care for the public; intimated to them, "how he was startled with the horror of the design, and how faithfully he resolved to serve the commonwealth, or to lose his life in the attempt:" yet at the same time acted his part at court, with all possible demonstration of abhorring the proceedings of the parliament, to that degree, that he offered "to undertake, with a crew of officers and good fellows, (who, he said, were at his disposal,) to rescue the earl of Strafford from the lieutenant of the Tower, as he should bring him to his trial, and so to enable him to make an escape into foreign parts."

The discovery being thus made, to the earl of Bedford, the lord Say, and the lord Kimbolton, and, no doubt, by them communicated to their chief associates; as dangerous as the design was afterwards alleged to be, it was not published in three months after to the houses, against whom the treason was intended; nor till long after the death of the earl of Bedford: who, no doubt, rather desired to bind up those wounds which were made, than to make them wider, by entertaining new jealousies between king and people; and would not consent to the extending and extorting conclusions, which did not naturally flow from the premises; without which, this so useful a treason to them could not have been made up.

But as they thought not fit (as I said before) to publish this whole discovery till near three months after, so they made extraordinary use of it by parts, from the instant that they received the secret; it being always their custom, when they found the heat and distemper of the house (which they endeavoured to keep up, by the sharp mention and remembrance of former grievances and pressures) in any degree allayed, by some gracious act, or gracious profession of the king, to warm and inflame them again with a discovery, or promise of a discovery, of some notable plot and conspiracy against themselves, "to dissolve the parliament by the papists;" or some other way, in which they would be sure that somewhat always should reflect upon the court. Thus they were sometimes informing "of great multitudes of papists gathering together in Lancashire;" then "of secret meetings in caves, and under ground in Surrey;" letters from beyond sea, of great provisions of "arms making there for the catholics of England;" and the like; which upon examination always vanished: but for the time (and they were always applied in useful articles of time) served to transport common minds with fears and apprehensions, and so induced them to comply in sense with those, who were like soonest to find remedies for those diseases which none but themselves could discover. And in this progress there sometimes happened strange accidents for the confirmation of their credit.

Whilst they were full of clamour against the



papists, upon the instances of some insolences and indiscretions committed by them, during the late intervals of parliament, (and mentioned before,) especially upon a great alacrity expressed, and contribution raising, the year before, for advancing the war with Scotland; an order was made, "that the justices of peace of Westminster should carefully examine, what strangers were lodged within their jurisdiction; and that they should administer the oaths of allegiance and supremacy to all suspected for recusancy, and proceed according to those statutes." An afternoon being appointed for that service, in Westminster-hall, and many persons warned to appear there, amongst the rest one — James, a papist, appeared, and being pressed by Mr. Hayward, a justice of peace, to take the oaths, suddenly drew out his knife, and stabbed him; with some reproachful words "for his persecuting poor catholics." This strange, unheard of outrage, upon the person of a minister of justice executing his office by an order of parliament, startled all men; the old man sinking with the hurt, though he died not of it. And though, for aught I could ever hear, it proceeded only from the rage of a sullen varlet (formerly suspected to be crazed in his understanding) without the least confederacy or combination with any other; yet it was a great countenance to those, who were before thought over apprehensive and inquisitive into dangers; and made many believe it rather a design of all the papists of England, than a desperate act of one man, who could never have been induced to it, if he had not been promised assistance from the rest. — But to the point.

This discovery of the plot concerning the army being made about the middle of April, which was the end of the earl of Strafford's trial, they for the present made no farther use of it than might contribute to their ends in that business; reserving the rest (as was said before) to be applied in more necessary seasons: therefore, about the time that the bill of attainder was preferred, that no interposition from the court might discountenance or hinder that great work, Mr. Pym one day informed the house of commons, "that he had great cause to fear, there was at that time as desperate a design and conspiracy against the parliament, as had been in any age; and he was in doubt, persons of great quality and credit at court had their hands in it: that several officers had been treated with in London to raise men, under pretence that they should go for Portugal; but that the Portugal ambassador being conferred with about it, professed that he knew nothing of it: and that no person had any authority or promise from him to that purpose:" (and it is true, there had been some idle discourses in a tavern between some officers, about raising men for Portugal, which was immediately carried to Mr. Pym; as all tavern and ordinary discourses were:) "that, for the present, he might not acquaint them with other particulars, which might hinder their further discovery; only desired, that a message might be sent to the lords, to desire them to appoint a committee to examine such witnesses as should be produced, for the discovery of a plot against the parliament; and that in the meantime they would join in a message to the king to desire his majesty that he would not, for some few days, grant any pass to any of his servants

"to pass beyond the seas; saying, that he believed some men's consciences would tempt them to make an escape, when they heard of this examination."

Such a committee was appointed to examine, and such a message sent to his majesty, as was desired. But in the mean time, some persons who had been at the tavern, and talked of raising men for Portugal; and others who had been at the conference before mentioned, where the proposition was for bringing up the army; finding that what had passed so privately, and amongst them, had been discovered, and was like to pass a very severe inquisition, by them who made glosses and comments as they pleased, upon what other men spake or did; and not knowing how much more than the truth had been informed, or what interpretation should be made of that which was the truth; resolved not to trust themselves with such judges, (whose formality was first to imprison, and after, at their leisure, to examine,) and so fled into France.

This was no sooner known and published, than it gave great credit and reputation to Mr. Pym's vigilancy and activity; for it now appeared, there was some notable mischief intended, upon the discovery whereof, such eminent persons were fled. And in this disorder and trouble of mind, men fearing according as they were directed, the bill of attainder found the easier passage in the house of commons.

Having gotten this much ground; and the bill then depending (and like long to depend) with the lords; Mr. Pym told them in the house of commons, "that it appeared by the flight of such considerable persons, that what he had before imparted to them was of moment, and that his fears were not groundless; that it concerned their service, that he should not yet impart the whole matter to them, since the danger was prevented, which they should shortly understand at large: in the mean time, he did assure them, that God had miraculously preserved them from a most prodigious conspiracy, in which all their privileges and liberties should have been swallowed up: that though this attempt was discovered, yet he feared there might be some new device; and therefore he proposed, for the better evidence of their union and unanimity, (which would be the greatest discouragement to all who wished ill to them,) that some protestation might be entered into by the members of both houses, for the defence of their privileges, and the performance of those duties to God and the king, which they were obliged to, as good Christians and good subjects; and that a committee might be appointed speedily to withdraw, and prepare such a protestation."

The motion was entertained with a general approbation; inasmuch as they who were apprehensive enough of the ill designs of those who advanced this, and of the ill consequence of such voluntary protestations, thought fit rather to watch the matter and words, than to oppose the thing itself; which, it was evident, it was to no purpose to do: and therefore they were well contented with the naming such persons for the committee, as were not like to submit to any unlawful or inconvenient obligation. This was urged as of such consequence, that the doors were locked, and no persons suffered to go out of the house, till this

should be concluded. After a long debate, these words were agreed upon, and offered to the house for the protestation.

"I A. B. do, in the presence of Almighty God, promise, vow, and protest, to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true reformed protestant religion, expressed in the doctrine of the church of England, against all popery and popish innovations within this realm, contrary to the same doctrine: and, according to the duty of my allegiance, his majesty's royal person, honour, and estate; as also, the power and privileges of parliament; the lawful rights and liberties of the subject; and every person that maketh this protestation, in whatsoever he shall do in the lawful pursuance of the same: and to my power, and as far as lawfully I may, I will oppose, and, by all good ways and means, endeavour to bring to condign punishment, all such, as shall, either by force, practice, counsels, plots, conspiracies, or otherwise, do any thing to the contrary of any thing in this present protestation contained: and further, that I shall, in all just and honourable ways, endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland; and neither for hope, fear, nor other respect, shall relinquish this promise, vow, and protestation."

This was immediately taken by the speaker of the house of commons, and by all the members then present; and sent up to the lords, who all likewise took the same, except the earl of Southampton, and the lord Roberts, who positively refused it, alleging, "There was no law that enjoined it, and the consequence of such voluntary engagements might produce effects that were not then intended:" which without doubt was very wisely considered; and had not been pressed in the house of commons, for two reasons; it being visibly impossible to dissuade the thing, the house being awakened by the discourse, mentioned before, of a plot against the parliament, the poison of which, this sovereign antidote would expel and discover; but especially for that well-affected persons, who were jealous of no other design than the alteration of the government of the church, thought they had obliged those rigid reformers from any such attempt, when they had once bound themselves "to maintain and defend the protestant religion expressed in the doctrine of the church of England;" there being no other scheme of the doctrine of the church of England, than the thirty-nine Articles, of which one is, "to preserve the government of the church by bishops."

Whereas the other party was abundantly gratified with having an oath of their own making, to entangle the people, (so like a covenant, by which such admirable things had been compassed by their neighbours,) and upon which they could make what gloss they pleased, when they had occasion; as they did within two days after: for the protestation being taken on Monday the third of May, the Wednesday following some of their own party took occasion to inform the house, "that it was apprehended by many well-affected persons abroad, who were of notable and exemplary devotion to the parliament, that if they should take that protestation, they should thereby engage themselves for the defence of bishops, which in their

"conscience they could not do: and which they hoped the house did not intend to oblige them to:" whereupon, without any great opposition, (the house being thin; and they who were of another opinion, believing this artifice would, to all sober men, appear very ridiculous,) this ensuing order was made:

"Whereas some doubts have been raised, by several persons out of this house, concerning the meaning of these words contained in the protestation lately made by the members of this house, [viz. the true reformed protestant religion, expressed in the doctrine of the church of England, against all popery and popish innovations within this realm, contrary to the same doctrine,] this house doth declare, that by those words was and is meant, only the public doctrine professed in the said church, so far as it is opposite to popery and popish innovations; and that the said words are not to be extended to the maintaining of any form of worship, discipline, or government, nor of any rites, or ceremonies, of the said church of England."

This explanation being thus procured in the house of commons, without ever advising with the house of peers, (who had likewise taken the same protestation,) and, in truth, so contrary to the intentions of most that took it; they ordered, that the protestation, together with this explanation, should be printed and published; and that the knights and burgesses should send copies thereof to the counties and boroughs for which they served; and that they should intimate unto the people, with what willingness all the members of that house made that protestation; and that they should further signify, that as they did justify the taking it themselves, so they could not but approve it in all such as should take it." Upon which declaration, the emissaries of the clergy caused the same to be taken in London, and the parts adjacent, within very few days after the publishing thereof. And for their better encouragement (though their zeal would not attend such formalities) a bill was prepared, passed the house of commons, and was sent up to the lords, "to compel all the subjects to take that protestation." What the success of that bill was, and what use was afterwards made of this protestation, (which was then thought so harmless a thing,) and particularly, what influence it had upon the business of the earl of Strafford, shall be remembered in its proper place.

The other accident that fell out during the time that the business of the earl of Strafford was agitated, and by which he received much prejudice, was the death of the earl of Bedford. This lord was the greatest person of interest in all the popular party, being of the best estate, and best understanding, of the whole party; and therefore most like to govern the rest. He was besides of great civility, and of much more good-nature than any of the other. And therefore the king, resolving to do his business with that party by him, resolved to make him lord high treasurer of England, in the place of the bishop of London; who was as willing to lay down the office, as any body was to take it up. And to gratify him the more, at his desire, intended to make Mr. Pym chancellor of the exchequer, as he had done Mr. Saint-John his solicitor general; Mr. Hollis was to be secretary of state, the lord Say master of the wards, and the lord Kimbolton

to be lord privy-seal after the death of his father, who then held that place. Others were to be placed about the prince, and to have offices when they fell.

The earl of Bedford secretly undertook to his majesty, that the earl of Strafford's life should be preserved; and to procure his revenue to be settled, as amply as any of his progenitors; the which he intended so really, that, to my knowledge, he had it in design to endeavour the setting up the excise in England, as the only natural means to advance the king's profit. He fell sick within a week after the bill of attainder was sent up to the lords' house; and died shortly after, much afflicted with the passion and fury which he perceived his party inclined to: insomuch as he declared, to some of near trust with him, "that he feared the rage and madness of this parliament would bring more prejudice and mischief to the kingdom, than it had ever sustained by the long intermission of parliaments." He was a wise man, and would have proposed and advised moderate courses; but was not incapable, for want of resolution, of being carried into violent ones, if his advice would not have been submitted to: and therefore many, who knew him well, thought his death not unseasonable, as well to his fame, as his fortune; and that it rescued him as well from some possible guilt, as from those visible misfortunes, which men of all conditions have since undergone.

As soon as the earl of Bedford was dead, the lord Say (hoping to receive the reward of the treasurer-ship) succeeded him in his undertaking, and faithfully promised the king, "that he should not be pressed in the matter of the earl of Strafford's life:" and under that promise got credit enough to persuade his majesty to whatsoever he told was necessary to that business. And thereupon, when the bill was depending with the lords, and when there was little suspicion that it would pass, though the house of commons every day by messages endeavoured to quicken them, he persuaded the king "to go to the house of peers, and, according to custom, to send for the house of commons, and then to declare himself, that he could not, with the safety of a good conscience, ever give his consent to the bill that was there depending before them concerning the earl of Strafford, if it should be brought to him, because he was not satisfied in the point of treason: but he was so fully satisfied that the earl was unfit ever to serve him more, in any condition of employment, that he would join with them in any act, to make him utterly incapable of ever bearing office, or having any other employment in any of his majesty's dominions; which he hoped would satisfy them."

This advice, upon the confidence of the giver, the king resolved to follow: but when his resolution was imparted to the earl, he immediately sent his brother to him, beseeching his majesty "by no means to take that way, for that he was most assured it would prove very pernicious to him; and therefore desired, he might depend upon the honour and conscience of the peers, without his majesty's interposition." The king told his brother, "that he had taken that resolution by the advice of his best friends; but since he liked [it] not, he would decline it." The next morning the lord Say came again to him, and finding his majesty altered in his intention, told him, "if he took that course he had advised him, he was

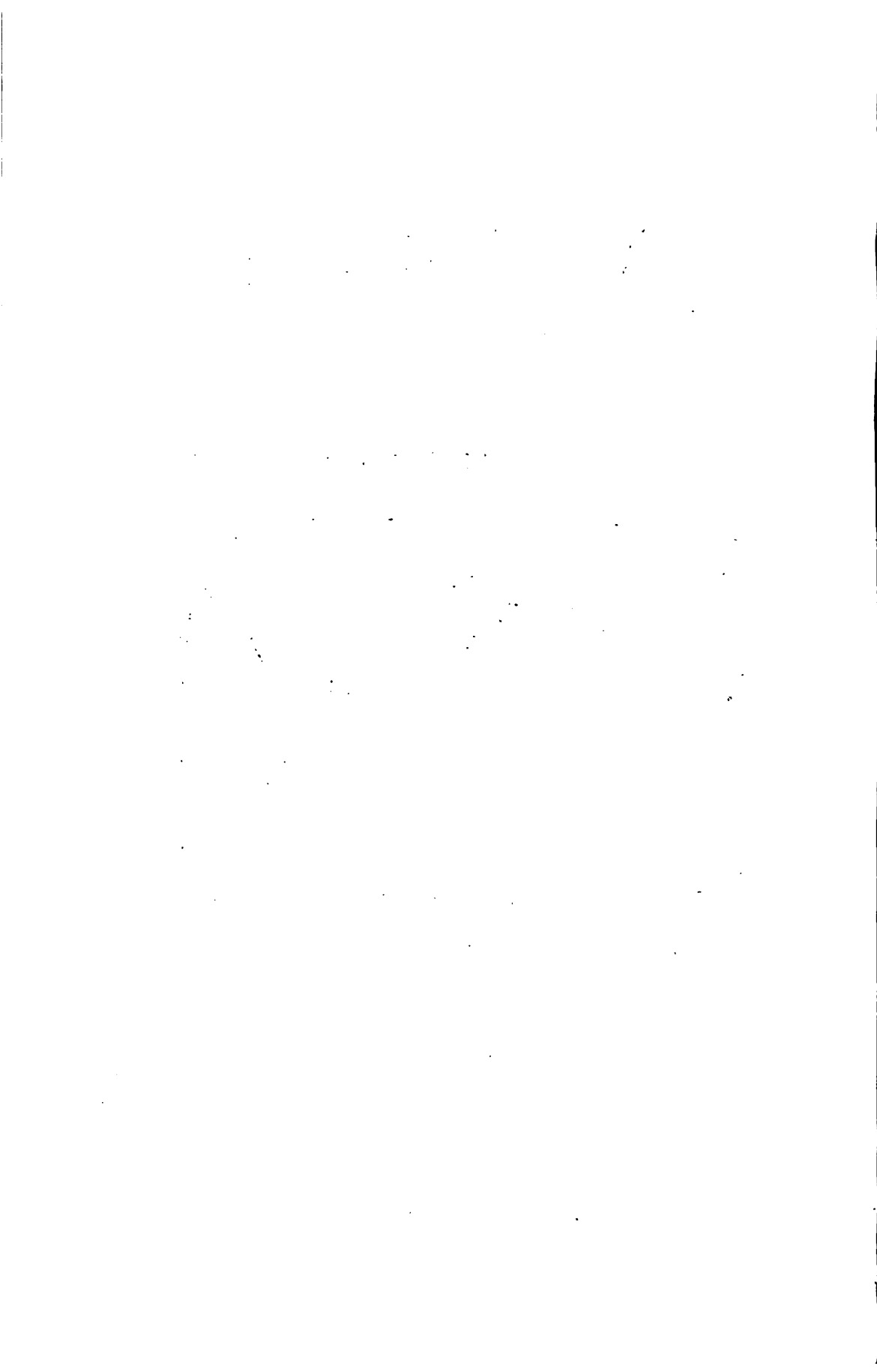
"sure it would prevail; but if he declined it, he could not promise his majesty what would be the issue, and should hold himself absolutely disengaged from any undertaking." The king observing his positiveness, and conceiving his intentions to be very sincere, suffered himself to be guided by him; and immediately went to the house, and said as the other had advised. Whether that lord did in truth believe the discovery of his majesty's conscience in that manner would produce the effect he foretold; or whether he advised it treacherously, to bring on those inconveniences which afterwards happened; I know not: but many, who believed his will to be much worse than his understanding, had the uncharitableness to believe, that he intended to betray his master, and to put the ruin of the earl out of question.

The event proved very fatal; for the king no sooner returned from the house, than the house of commons, in great passion and fury, declared this last act of his majesty's to be "the most unparalleled breach of privilege, that had ever happened; that if his majesty might take notice what bills were passing in either house, and declare his own opinion, it was to forejudge their counsels, and they should not be able to supply the commonwealth with wholesome laws, suitable to the diseases it laboured under; that this was the greatest obstruction of justice, that could be imagined; that they, and whosoever had taken the late protestation, were bound to maintain the privileges of parliament, which were now so grossly invaded and violated:" with many other sharp discourses to that purpose.

The next day great multitudes of people came down to Westminster, and crowded about the house of peers, exclaiming with great outcries, "that they would have justice;" and publicly reading the names of those who had dissented from that bill in the house of commons, as enemies to their country; and as any lord passed by, called, *Justice, justice!* and with great rudeness and insolence, pressing upon, and thrusting, those lords whom they suspected not to favour that bill; professing aloud, "that they would be governed and disposed by the honourable house of commons, and would defend their privileges according to their late protestation." This unheard of act of insolence and sedition continued so many days, till many lords grew so really apprehensive of having their brains beaten out, that they absented themselves from the house; and others, finding what seconds the house of commons was like to have to compass whatever they desired, changed their minds; and so in an afternoon, when of the fourscore who had been present at the trial, there were only six and forty lords in the house, (the good people still crying at the doors for justice,) they put the bill to the question, and eleven lords only dissenting, it passed that house, and was ready for the king's assent.

The king continued as resolved never to give his consent. The same oratory then attended him at Whitehall, which had prevailed at Westminster; and a rabble of many thousand people besieged that place, crying out, *Justice, justice: that they would have justice:* not without great and insolent threats and expressions, what they would do, if it were not speedily granted. The privy-council was called together, to advise what course was to be taken to suppress these traitorous riots. Instead of considering how to rescue their master's honour





Engraved by J. Coddman

FRANCIS RUSSELL, EARL OF BEDFORD.

OB. 1641.

FROM THE ORIGINAL OF VANDYCKE IN THE COLLECTION OF

HIS GRACE THE DUKE OF BEDFORD



and his conscience from this infamous violence and constraint, they press the king to pass the bill of attainder, saying, "there was no other way to preserve himself and his posterity, than by so doing; and therefore that he ought to be more tender of the safety of the kingdom, than of any one person how innocent soever." not one counsellor interposing his opinion, to support his master's magnanimity and innocence: they who were of that mind, either suppressing their thoughts through fear, upon the new doctrine established then by the new counsellors, "that no man ought to presume to advise any thing in that place contrary to the sense of both houses;" others sadly believing, the force and violence offered to the king would be, before God and man, a just excuse for whatsoever he should do.

His majesty told them, "that what was proposed to him to do, was in a diameter contrary to his conscience, and that being so, he was sure they would not persuade him to it, though themselves were never so well satisfied." To that point, they desired him "to confer with his bishops, who, they made no question, would better inform his conscience." The archbishop of York was at hand; who, to his argument of conscience, told him, "that there was a private and a public conscience; that his public conscience as a king might not only dispense with, but oblige him to do that which was against his private conscience as a man: and that the question was not, whether he should save the earl of Strafford, but, whether he should perish with him: that the conscience of a king to preserve his kingdom, the conscience of a husband to preserve his wife, the conscience of a father to preserve his children, (all which were now in danger,) weighed down abundantly all the considerations the conscience of a master or a friend could suggest to him, for the preservation of a friend, or servant." And by such unrelational, ignominious arguments, in plain terms advised him, "even for conscience sake, to pass that act."

Though this bishop acted his part with more prodigious boldness and impiety, the other of the same function (of whose learning and sincerity the king and the world had greater reverence) did not what might have been expected from their calling or their trust; but at least forbore to fortify and confirm a conscience, upon the courage and piety of which, themselves and their order did absolutely depend.

During these perplexities, the earl of Strafford, taking notice of the straits the king was in, the rage of the people still increasing, (from whence he might expect a certain outrage and ruin, how constant soever the king continued to him; and, it may be, knowing of an undertaking (for such an undertaking there was) by a great person, who had then a command in the Tower, "that if the king refused to pass the bill, to free the kingdom from the hazard it seemed to be in, he would cause his head to be stricken off in the Tower,") writ a most pathetic letter to the king, full of acknowledgment of his favours; but lively presenting "the dangers, which threatened himself and his posterity, by his obstinacy in those favours;" and therefore by many arguments conjuring him "no longer to defer his assent to the bill, that so his death might free the kingdom from the many troubles it apprehended."

The delivery of this letter being quickly known, new arguments were applied; "that this free consent of his own clearly absolved the king from any scruple that could remain with him;" and so in the end they extorted from him, to sign a commission to some lords to pass the bill: which was as valid as if he had signed it himself; though they comforted him even with that circumstance, "that his own hand was not in it."

It may easily be said, that the freedom of the parliament, and his own negative voice, being thus barbarously invaded, if his majesty had, instead of passing that act, come to the house and dissolved the parliament; or if he had withdrawn himself from that seditious city, and put himself in the head of his own army; much of the mischief, which hath since happened, would have been prevented. But whoever truly considers the state of affairs at that time; the prevalence of that faction in both houses; the rage and fury of the people; the use that was made by the schismatical preachers (by whom all the orthodox were silenced) of the late protestation in their pulpits; the fears and jealousies they had infused into the minds of many sober men, upon the discourse of the late plot; the constitution of the council-table, that there was not an honest man durst speak his conscience to the king, for fear of his ruin; and that those, whom he thought most true to him, betrayed him every hour, insomuch as his whispers in his bedchamber were instantly conveyed to those against whom those whispers were; so that he had very few men to whom he could breathe his conscience and complaint, that were not suborned against him, or averse to his opinions: that on the other side, if some expedient were not speedily found out, to allay that frantic rage and combination in the people, there was reason enough to believe, their impious hands would be lifted up against his own person, and (which he much more apprehended) against the person of his royal consort: and lastly, that (besides the difficulty of getting thither except he would have gone alone) he had no ground to be very confident of his own army: I say, whoever sadly contemplates this, will find cause to confess, the part which the king had to act was not only harder than any prince, but than any private gentleman, had been incumbent to; and that it is much easier, upon the accidents and occurrences which have since happened, to determine what was not to have been done, than at that time to have foreseen, by what means to have freed himself from the labyrinth in which he was involved.

All things being thus transacted, to conclude the fate of this great person, he was on the twelfth day of May brought from the Tower of London (where he had been a prisoner near six months) to the scaffold on Tower-hill; where, with a composed, undaunted courage, he told the people, "he was come thither to satisfy them with his head; but that he much feared, the reformation which was begun in blood would not prove so fortunate to the kingdom, as they expected, and he wished:" and after great expressions "of his devotion to the church of England, and the protestant religion established by law, and professed in that church; of his loyalty to the king, and affection to the peace and welfare of the kingdom;" with marvellous tranquillity of mind, he delivered his head to the block, where it was



severed from his body at a blow : many of the standers by, who had not been over charitable to him in his life, being much affected with the courage and Christianity of his death.

Thus fell the greatest subject in power, and little inferior to any in fortune, that was at that time in any of the three kingdoms ; who could well remember the time, when he led those people, who then pursued him to his grave. He was a man of great parts, and extraordinary endowments of nature ; not unadorned with some addition of art and learning, though that again was more improved and illustrated by the other ; for he had a readiness of conception, and sharpness of expression, which made his learning thought more than in truth it was. His first inclinations and addresses to the court were only to establish his greatness in the country ; where he apprehended some acts of power from the old lord Savile, who had been his rival always there, and of late had strengthened himself by being made a privy-counsellor, and officer at court : but his first attempts were so prosperous, that he contented not himself with being secure from his power in the country, but rested not, till he had bereaved him of all power and place in court ; and so sent him down, a most abject, disconsolate old man, to his country, where he was to have the superintendency over him too, by getting himself at that time made lord president of the north. These successes, applied to a nature too elate and arrogant of itself, and a quicker progress into the greatest employments and trust, made him more transported with disdain of other men, and more contemning the forms of business, than happily he would have been, if he had met with some interruptions in the beginning, and had passed in a more leisurely gradation to the office of a statesman.

He was, no doubt, of great observation, and a piercing judgment, both into things and persons ; but his too good skill in persons made him judge the worse of things : for it was his misfortune to be of a time wherein very few wise men were equally employed with him ; and scarce any (but the lord Coventry, whose trust was more confined) whose faculties and abilities were equal to his : so that upon the matter he wholly relied upon himself ; and discerning many defects in most men, he too much neglected what they said or did. Of all his passions, his pride was most predominant : which a moderate exercise of ill fortune might have corrected and reformed ; and which was by the hand of Heaven strangely punished, by bringing his destruction upon him by two things that he most despised, the people and sir Harry Vane. In a word, the epitaph, which Plutarch records that Sylla wrote for himself, may not be unfitly applied to him ; " that no man did ever pass him, either in " doing good to his friends, or in doing mischief " to his enemies ; " for his acts of both kinds were most exemplary and notorious.

Together with that of attainder of the earl of Strafford, another bill was passed by the king, of almost as fatal a consequence to the king and kingdom, as that was to the earl, " the act for " the perpetual parliament ; " as it is since called.

The vast burden of the two armies was no other way supplied, (for I have told you before the reason why they were so slow in granting of subsidies,) than by borrowing great sums of money from the

city or citizens of London, upon the credit of particular persons. The emissaries in that negotiation, about the time the act for attainder passed the commons, returned, " that there was no more hope of " borrowing in the city ; that men had before " cheerfully lent their estates, upon their confidence " in the honour and justice of the two houses : but " they had now considered, how desperate that " security must prove, if the two houses should be " dissolved." Which consideration begun to have an universal influence upon all those who were personally bound for monies already borrowed ; " for " that their persons and fortunes must answer those " sums which had been paid for the public benefit, " if the parliament should be dissolved before any " act passed for their indemnity. That their fears " and apprehensions that this might happen were " much advanced by the late discovery of the plot " against the parliament ; for though the particulars thereof were not yet published, they discerned there was not that good meaning to the " parliament, as it deserved." This was no sooner offered, than the reasonableness of the objection was enforced ; and the necessity of finding some expedient " to satisfy the people of the gracious " intentions and resolutions of the king ; " which were most unquestionable ; (for in all those articles of time, when they were to demand some unreasonable thing from him, they spared no dutiful mention of the piety and goodness of his own princely nature ; or large promises what demonstrations of duty they would shortly make to him.) No way could be thought of so undeniable, as an act of parliament, " that this parliament should not be " adjourned, prorogued, or dissolved, but by act " of parliament ; which, upon this occasion, his " majesty would never deny to pass."

It is not credible, what an universal reception and concurrence this motion met with, (which was to remove the landmarks, and to destroy the foundation of the kingdom,) inasmuch, as a committee was immediately appointed to withdraw, and to prepare a short bill to that purpose ; which was within a short time (less than an hour) brought into the house, and immediately twice read, and committed ; an expedition never before heard of in parliament ; and the next day, with as little agitation, and the contradiction of very few voices, engrossed, and carried up to the lords. With them it had some debate, and amendments, which were delivered at a conference, the principal whereof was, " that the time should be limited, and not left " indefinite, and that it should not be dissolved " within two years, except by consent of both " houses ; " that time being sufficient to provide against any accidents that were then apprehended.

These alterations were highly resented in the house of commons, as argument of jealousy between the king and the parliament, " that it should " be imaginable the members of both houses, who " resided from their houses and conveniences at " great charge for the service of the public, would " desire to continue longer together than the necessity of that service should require ; " without considering, that it was more unlikely that the king (who had condescended so far to them, and had yet in truth received no fruit from their meeting) would dissolve them, as long as they intended that for which they were summoned together, and contained themselves within the bounds of duty and moderation.

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rise and  
fall of  
this  
political  
figure





Engraved by A. Robinson

**THOMAS WENTWORTH, EARL OF STRAFFORD.**

OB. 1641

FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL OF EGREMONT.

*when published, was the first portrait of the Earl*



But the commons stoutly insisted on their own bill; and the lords, in that hurry of noise and confusion, when the people were abroad, kindly consented likewise to it: and so, by the importunity, and upon the undertaking of persons he then most trusted, in the agony of the other despatch, the king was induced to include that bill in the commission with the act of attainder, and so they were both passed together.

After the passing these two bills, the temper and spirit of the people, both within and without the walls of the two houses, grew marvellous calm and composed; there being likewise about that time passed by the king, the two bills, for the taking away the star-chamber court, and the high commission: so that there was not a grievance or inconvenience, real or imaginary, to which there was not a through remedy applied; and therefore all men expected, that both armies would be speedily disbanded; and such returns of duty and acknowledgment be made to the king, as might be agreeable to their professions, and to the royal favours he had vouchsafed to his people.

But what provisions soever were made for the public, particular persons had received no satisfaction. The death of the earl of Bedford, and the high proceedings in all those cases in which the king was most concerned, left all those who expected offices and preferments, desperate in their hopes: and yet an accident happened, that might have been looked upon as an earnest or instance of some encouragement that way.

Besides the lord Say's being invested in the mastership of the wards, in the place of the lord Cottington, (who was every day threatened, upon the secretary's paper of results, to be accused of high treason, till, like a wise man, he retired from the offices which begat his trouble; and for a long time after, till he again embarked himself in public employments, enjoyed himself without the least disturbance,) at a committee in the lords' house, in the afternoon, in some debate, passion arose between the earl of Pembroke, who was then lord chamberlain of the household, and the lord Mowbray, eldest son to the earl of Arundel; and from angry and disdainful words, an offer or attempt of blows was made; for which misdemeanour, they were the next day both sent to the Tower by the house of lords. The king, taking advantage of this miscarriage; and having been long incensed by the passionate, indiscreet, and insolent carriage of the earl, sent to him, by a gentleman usher, for his staff; and within two or three days after bestowed it upon the earl of Essex; who, without any hesitation, took it.

It was thought this extraordinary grace to the most popular person of the kingdom would have had a notable influence upon the whole party, which made him believe it depended very much on him: but it was so far from having that effect, as they looked upon that favour, rather as a mark of punishment and revenge upon the earl of Pembroke, for his affection to them, and for giving his suffrage against the earl of Strafford, (which he had often professed to the king he could never in conscience do,) than of estimation and kindness to the earl of Essex; and so were in truth more offended and incensed with the disgrace and disobligation to the one, than they were pleased with the preferment of the other: therefore whatever concerned the king in right; or what he might

naturally expect from the compliance and affection of the house; or what was any way recommended by his majesty to them, found little or no respect.

His revenue was so far from being advanced, (as had been gloriously promised,) that it was, both in dignity and value, much lessened from what it was: for shortly after the beginning of the parliament, great complaint had been made, "that tonnage and poundage" (which is the duty and subsidy paid by the merchant upon trade) "had been taken by the king without consent of parliament;" the case whereof in truth is this: this duty had been constantly given to the succeeding king, ever since the reign of king Edward the Fourth, for his life, in the first parliament they held after their coming to the crown: before that time, it had been granted for years; and was originally intended for the support of the navy, whereby the merchant might be freed from danger of pirates; and upon the death of every king since that time, his successor always received it, without the least interruption, till the next parliament; in the beginning whereof it was always without scruple granted: so that, though it was, and must always be acknowledged as the free gift of the people, (as all other subsidies are,) yet it was looked upon as so essential a part of the revenue of the crown, that it could not be without it: and as the king is not less king before his coronation than he is after, so this duty had been still enjoyed as freely before, as it was after an act of parliament to that purpose; neither had there been ever any exception taken in parliament, (which sometimes was not in a year after the death of the former king,) that the crown had continued the receipt of it; which it always did, till the time of a new grant.

Thus, after the death of king James, his majesty received it, till the first parliament was summoned; and, that and two more being unfortunately dissolved, (as was said before,) in which his ministers were not solicitous enough for the passing that act for tonnage and poundage, continued the receipt of it till this present parliament: then (that is, many weeks after the beginning of it) it was directed, "that a bill should be speedily prepared for the granting it, as had been usual, lest the crown might, by so long enjoying, in a manner pre-scribe to it of right, without the donation of the people;" which the king always disclaimed to do. Shortly after (no man presuming to intimate, that it should be granted in any other manner than of course it had been) it was alleged, "that the bill could not be so speedily prepared as were to be wished, by reason that there were many just exceptions made by the merchants to the book of rates, which had been lately made by the farmers of the customs, in the time and by the direction of the earl of Portland;" (circumstances that carried prejudice enough to whatsoever they were applied;) and therefore it was proposed, for the present, as the best expedient to continue his majesty's supply, and to preserve the right of giving in the people, "that a temporary bill should pass, for the granting the same to his majesty for two months only, in which time a new book of rates should be made, more advantageous to his majesty in point of profit," (which was always solemnly professed,) "and then a complete act might pass."

To this purpose a bill was accordingly brought in, the preamble whereof "renounced and declared

"against not only any power in the crown of levying the duty of tonnage and poundage, without the express consent of parliament, but also any power of imposition upon any merchandises whatsoever, and in any case whatsoever;" which had been constantly practised in the best times by the crown; had the countenance of a solemn judgment in the exchequer chamber; and, though often agitated in parliament, had never been yet declared against: yet this quietly passed both houses, as a thing not worth considering; those who in duty ought to have opposed it in both houses, in relation to their service and trust, persuading his majesty, since he was sure to have whatsoever he or his progenitors had enjoyed, fully and frankly given and granted to him within two months, not to enter into disputes, (upon how just claims soever,) which would only delay what he so much desired. And so, in expectation and confidence, that they would make glorious additions to his state and revenue of the crown, his majesty suffered himself to be stripped of all that he had left; and of the sole stock of credit he had to borrow monies upon: for though, in truth, men knew that revenue was not legally vested in the king till an act of parliament, yet all men looked upon it as unquestionably to pass; and so it was not only a competent proportion for the present support of his house, but was understood a good security for any ordinary sum of money upon advance, as forty or fifty thousand pound, upon any emergent occasion.

All men discerned this gross usage, and the disadvantage imposed upon his majesty by this mutation; and therefore expected a full reparation, by such an act for life as had been usual; and such an improvement of the book of rates as had been promised, as soon as the business of the earl of Strafford was over: which had been always objected, as necessary to precede all other consultations. But this was no sooner moved, "as seasonable in order to their own professions, and in a degree due to the king, after so many reiterated expressions of favour and affection to his people, by so many excellent laws, and other condescensions," than they objected, "the odiousness of the late plot against the parliament, which was not yet fully discovered: that notwithstanding those gracious demonstrations of favour from the king, in the laws and other acts mentioned, they had great cause to apprehend, some ill affected persons had still an influence upon his majesty, to the disservice of the parliament, and to beget jealousies in him towards them; for that they had plainly discovered (which they should in a short time be able to present fully to the house) that there had been a design, not only to poison the affections of the army towards the parliament, by making them believe that they were neglected, and the Scots preferred much before them; but to bring up that army to London, with a purpose to awe the parliament: that there was a resolution to seize the Tower, and to make it a curb upon the city: that there had been an attempt to prevail with the officers of the Scottish army, at least to sit still as neutrals, whilst the other acted this tragedy: that the confederates in this design had taken an oath, to oppose any course that should be advised for the removing the bishops out of the house of peers; to preserve and defend the king's prerogative, to the utmost extent that any

of his progenitors had enjoyed; and to settle his majesty's revenue: that they had reason to fear his majesty's own concurrence, at least his approbation, in this design, (which, if not prevented, must have proved so pernicious and fatal to the kingdom,) for that, besides that the persons principally engaged in it were of the nearest trust about the king and queen, they had clear proof, that a paper had passed his majesty's perusal, in which were contained many sharp invectives against the parliament; a desire that they might have the exercise of martial law, (the mention whereof was the most unpopular and odious thing that could be imagined,) and an offer of service to defend his majesty's person, which was an implication as if it had been in danger: and that this paper should have been signed by all the officers of the army; for their better encouragement whereon, the king himself had written a C. and an R. as a testimony that he approved of it."

This discourse, so methodically and confidently averred, made a strange impression (without reserving themselves till the evidence should be produced) in the minds of most men; who believed, that such particulars could never have been with that solemnity informed, if the proofs were not very clear; and served, not only to blast whatsoever was moved on his majesty's behalf, but to discountenance what, till then, had been the most popular motion that could be made, which was, the disbanding both armies, and the Scots' return into their own country. For the better accomplishment whereof, and as a testimony of their brotherly affection, the two houses had frankly and bountifully undertaken "to give them a gratuity of three hundred thousand pounds, over and above the twenty-five thousand pounds the month, during the time that their stay here should be necessary."

After that act, the king might have been reasonably awaked from any extraordinary confidence in the loyalty, honour, or justice, of both houses. And without doubt, when posterity shall recover the courage, and conscience, and the old honour of the English nation, it will not with more indignation and blushes contemplate any action of this seditious and rebellious age, than that the nobility and gentry of England, who were not guilty of the treason, should recompense an invasion from a foreign contemned nation, with whatever establishments they proposed in their own kingdom, and with a donative of three hundred thousand pounds, over and above all charges, out of the bowels of England; which will yet appear the more prodigious, when it shall be considered, that a fifth part of those who were accessaries to that infamous prodigality were neither favourers of their ends, or well-wishers of their nation.

Very many giving themselves leave, unfaithfully, to be absent from those debates, when the wealth and honour of their country was to be transplanted into a strange land; others looked upon it as a good purchase, to be freed of the payment of fourscore thousand pounds the month, (which was the charge of both armies,) by an entire sum of three hundred thousand pounds; and some pleased themselves with an assurance, that the scandal and unreasonableness of the sum would provoke the people to a hatred and revenge, and so that the brotherhood would not be supported,

but destroyed, by that extravagant bounty: but these were only short ejaculations to please themselves for the time; for many of those, who had no other reason to consent to that vast sum, but that they might be rid of them, were so inflamed and transported with the tale of the plot, that they had then no mind to let them go; and had so far swallowed and digested an assurance that it was true, that they reserved no distinguishing or judging faculties, for the time when the evidence and proof should be presented to them.

After they had played with this plot, and given the house heats and colds, by applying parts of it to them upon emergent occasions, for the space of near three months; and finding, that though it did them many notable services, in advancing their own reputations, and calumniating the king's honour, yet, that it had not a through effect at court for their preferment; they resolved to shew all their ware, and to produce the whole evidence: for the perfecting whereof, they had "a late great mark of God's great favour towards them, in his furnishing them with evidence for the complete discovery of all the mischief, from one that was "a principal contriver of it."

We said before, that upon the first motion in the house of commons, by Mr. Pym, "for a committee to examine, and for an address to the king, that he would grant no passes to any of his servants to go beyond seas," two persons, of near relation to his trust, immediately absented themselves; which were Mr. Peirce, and Mr. Jermyn. The latter of these, without interruption, transported himself into France; but Mr. Peirce, delaying his journey upon some occasions of his own, and concealing himself in some obscure places in Sussex, near to his brother's house, was at last discovered; and when he endeavoured to have escaped, was set upon by the country people, and with great difficulty, and not without some hurt, got from them, and was not in some months again heard of.

It was generally believed afterwards, that finding the seaports shut, and watches set for his apprehension in all those places, whereby the transporting himself into foreign parts was very difficult, he found means to return to London, and to put himself into his brother's protection; where it is thought he was harboured, till his hurt was cured; the strictness of the inquiry over; and till he had prepared that letter to his brother, the earl of Northumberland, which served, as far as in him lay, to destroy all his companions, and furnished the committee with that which they called "a double evidence:" for they had no sooner received that letter from the earl of Northumberland, than they told the house, "they were now ready for a complete discovery;" and thereupon produced the evidence of colonel Goring, and the letter from Mr. Peirce; both which agreed upon the relation, "of a meeting at Mr. Peirce's chamber; and of a discourse of the parliament's neglect of the king's, and favouring the Scottish army; the taking an oath of secrecy; and some other particulars:" all which had been positively denied, by those members of the house of commons, Mr. Wilmot, Mr. Ashburnham, and Mr. Pollard, upon their examinations upon oath.

It will hardly be believed hereafter, (but that the effects of such impostures have left such deep marks,) that the evidence then given could, in so

grave and judging an assembly, as a high court of parliament, till then, had always been, have brought the least prejudice upon the king; or, indeed, damage to any person accused: there being, in all the testimonies produced, so far from any proof, of a real design, or plot, to bring up the army (which was the grand matter alleged) to awe the parliament, that in truth it was very evident, there was no plot at all; only a free communication between persons (the major part whereof were of the house) "of the ill arts that were generally used to corrupt the affections of the people; and of some expedient, whereby, in that so public infection, the "army" (in which they had all considerable commands, two of them being general officers) "might be preserved from being wrought upon and corrupted:" in which discourse, colonel Goring himself, as appeared by his own examination, only proposed wild and extravagant overtures, "of bringing up the army, and surprising the Tower; which was, by all the rest, with manifest dislike, rejected: that all this had passed at one meeting, in which, they who met were so ill satisfied in one another, that they never would come together again: that, when the bringing up the army to London was mentioned to the king, his majesty would not hear of it, but only desired, that their affections might be kept entire for his service, as far as was consistent with the laws of the land, which were in danger to be invaded."

Yet, notwithstanding that all this appeared; and that this was all which did appear, (besides a discourse of the petition; for the petition itself they would not produce, signed with C. R. which is before set down in terms,) the specious, positive narration of the whole by Mr. Pym, before the evidence was read; the denying of what was now proved, and confessed by themselves, by Mr. Wilmot, Ashburnham, and Pollard, upon the former examination; the flight of Mr. Jermyn, and Mr. Peirce, and some others; the mention of some clauses in the petition signed with C. R.; and some envious, dark glances, both in Mr. Goring's examination, and Mr. Peirce's letter, at the king and queen, as if they knew more than was expressed, so transported the hearers, (who made themselves judges too,) that, taking all that was said, to be proved, they quickly voted, "that there was a design to bring up the army to force the parliament;" resolved to accuse Mr. Jermyn and Mr. Peirce of high treason; committed the three members of the house of commons to several prisons, and put them from being members of parliament, that in their rooms they might bring in three more fit for their service, as they shortly did; gave colonel Goring public thanks, "for preserving the kingdom, and the liberties of parliament;" and filled the people with jealousy for their security, and with universal acclamations of their great wisdom and vigilancy. So that this plot served to produce their first protestation; to inflame the people against the earl of Strafford, and in a degree to compass their ends upon that great person, as hath been before observed; to procure the bill for the continuance of this parliament, the foundation, or the fountain, of all the public calamities, to hinder and cross all overtures made for the revenue of the king, and to lessen the general reverence and duty to both their majesties; to continue the Scottish army within the kingdom,



and consequently to hinder the king's from being disbanded; to incense both houses against the bishops, as if the design had been principally for their protection, (and there being one witness who said, "he had been told, that the clergy would "raise and pay one thousand horse, to be employed against the parliament,") to blast the reputation of the earl of Newcastle, whose zeal to his majesty's service was most remarkable, as if he had been to have commanded the army; and lastly, to advance their own credit and estimation with the people, as if they were the only patriots, that intended the preservation of religion, law, and liberty.

And having made this use of it, (which is a sufficient argument what opinion they had of their own evidence,) they never proceeded against any of the persons who were in their power, though they patiently attended and importuned a trial above a year after their accusation: for they well knew, there must be then a more exact and strict weighing of the proofs; and that the persons accused could not only vindicate themselves from the aspersions which were laid upon them, but could recriminate upon their grand prosecutors with such charges, as they would not so easily be freed from; and this was the reason, that, even during the heat and noise of the accusation, they received very civil offices, visits, and addressees, from the chief of those who were trusted with the prosecution.

The sending that letter of Mr. Peircy's to the house of commons; or rather, the procuring that letter to be writ, (in which such insinuations were made, to the prejudice of the king and queen,) was the first visible instance of the defection of the earl of Northumberland towards his majesty's service; which wrought several ill effects in the minds of many: for, as the earl then had the most esteemed and unblemished reputation, in court and country, of any person of his rank throughout the kingdom; so they who knew him well, discerned, that the greatness of that reputation was but an effect of the singular grace and favour shewed to him by his majesty; who, immediately upon the death of his father, had taken this earl (being then less than thirty years of age) into his immediate and eminent care; first made him a privy-counsellor; then knight of the order of the garter; then (that he might apt him by degrees for the greatest trust and employments) sent him admiral into the narrow seas, of a royal navy; and, after a summer spent in that exercise, made him lord high admiral of England; and, to the very minute of which we speak, prosecuted him with all manner and demonstration of respect and kindness; and (as I heard his majesty himself say) "courted him" as his mistress, and conversed with him as his "friend, without the least interruption or intermission of all possible favour and kindness." And therefore many, who observed this great earl purchase this opportunity of diserving the king, at the price of his brother's honour, and of his own gratitude, concluded, that he had some notable temptation in conscience, and that the court was much worse than it was believed to be.

The truth is, that after his brother's being accused of high treason; and then, upon his hurt in Sussex, coming directly to Northumberland-house to shelter himself; the earl being in great trouble how to send him away beyond the seas

after his wound was recovered, advised with a confident friend then in power, whose affection to him he doubted not, and who, innocently enough, brought Mr. Pym into the council, who overwitted them both, by frankly consenting, "that Mr. Peircy should escape into France," which was all the care the earl had; but then obliged him, "first to draw such a letter from him, as might "be applied as an evidence of the reality of the "plot, after he was escaped;" and in this manner the letter was procured: which made a lasting quarrel between the two brothers; and made the earl more at the disposal of those persons whom he had trusted so far, than he had been before.

After the act for the continuance of the parliament, the house of commons took much more upon them, in point of their privileges, than they had done; and more undervalued the concurrence of the peers; and though that act added nothing to, nor extended their jurisdiction: which jurisdiction the wisdom of former times kept from being limited or defined, there being no danger of excess; and it being more agreeable to the nature of the supreme court to have an unlimited jurisdiction. But now that it could not be dissolved without their consent, (the apprehension and fear whereof had always before kept them within the bounds of modesty,) they called any power they pleased to assume to themselves, "a branch of "their privilege;" and any opposing or questioning that power, "a breach of their privileges: "which all men were bound to defend by their "late protestation; and they were the only proper "judges of their own privileges."

Hereupon, they called whom they pleased delinquents; received complaints of all kinds, and committed to prison whom they pleased: which had been never done, nor attempted, before this parliament; except in some such apparent breach, as the arresting a privileged person, or the like: and, as if theirs had swallowed up all other privileges, of peers, and [the] king himself, upon the lords rejecting a bill sent up to them, "to compel all "persons" (without distinction of quality, and without distinction of punishment or proceeding, upon their refusal) "to take the late protestation;" and two lords of great estimation (the earl of Southampton, and the lord Roberts) having refused to take the same; the house of commons, in great fury, and with many expressions of contempt, by a vote declared, "that the protestation "made by them was fit to be taken by every "person, that was well affected in religion, and to "the good of the commonwealth; and therefore, "that what person soever should not take the protestation, was unfit to bear office in the church "or commonwealth;" and directed farther, "that "that vote should be printed, and that the knights "and burgesses should send down copies of it to "the several places for which they served:" which was the most unparalleled breach of privilege, and the highest and most insolent affront to the lords, to the king, and to the justice of the kingdom, and the most destructive to parliaments, that any age had been guilty of. And yet, when some of the peers nobly resented it, on the behalf of the peerage, and the liberty of the subject, and pressed resolutely for reparation, means was found out to engage the king to interpose his royal mediation with those lords, to the end they might quietly

pass by that public violation and indignity, without further insisting on it.

All this time the two armies were continued at that vast charge, many men whispering (but so that it might be spoken of) "that the Scots would not retire till the bill against episcopacy were passed:" whereupon the king sent them word, about the beginning of July, "that he desired all speed might be used for the disbanding both armies; for the better and more orderly doing whereof, he had constituted the earl of Holland general of his army," (the earl of Northumberland, by reason of his indisposition in health, or some other reason, having laid down his commission,) "and intended forthwith to send him down thither: that his majesty himself, according to [a] former resolution, and promise made to his subjects of Scotland, meant to visit that his native kingdom, for the better perfecting the peace there; and appointed the day (about fourteen days after) he resolved to begin his progress; and therefore wished them, against that time, to prepare and finish any such acts, as they desired might receive his majesty's approbation, for the good of the kingdom, if there yet remained any thing to be asked of him." Notwithstanding which message, they spent most of their time upon the bill for extirpation of bishops, deans, and chapters; without finishing either the act of pacification between the two nations, or giving order for the disbanding the army.

It was wondered at by many, and sure was a great misfortune to the king, that he chose not rather at that time (though the business was only to disband) to constitute the earl of Essex general of his army, than the earl of Holland; for (besides that it would have been an act of much more grace and satisfaction to the people, and to the soldier) his majesty having lately given him so great an earnest of his trust, as the making him chamberlain of his house, ought in policy to have pursued that work, by any seasonable accumulation of favour, till he had made him his perfect creature; which had been very easy, if skillfully attempted: for his pride and ambition, which were not accompanied with any habit of ill nature, were very capable of obligations; and he had a faithfulness and constancy in his nature, which had kept him always religious in matter of trust: then, he was almost a declared enemy to the Scottish nation, and would have been very punctual in all formalities and decencies, which had any relation to his master's honour, or the honour of the nation. In a word, he might have been imposed upon in his understanding, but could not have been corrupted by hopes or fears what the two houses could have done to him: and was then more the idol of the people, than in truth the idolater of them.

Whereas, by making the earl of Holland general, he much disobliged the other, who expected it, and to whom it had been in a manner offered; and made him apprehend some distrust in the king towards him; and that his former favour in his office had been conferred on him, rather because no man else had been able to bear the envy of displacing the earl of Pembroke, than that his own merit and service was valued. Then the person, upon whom he conferred that honour, had formerly disappointed him, and often incurred his displeasure, and wore some marks of it; and was of no other interest or reputation with the party

which could do mischief, than as a person so obnoxious to them, in the misexecuting his great and terrible office of chief justice in eyre, by which he had vexed and oppressed most counties in England, and the most considerable persons in those counties; and in other particulars; that they knew he durst not offend them, and would purchase their protection and good opinion at any price: as it fell out; for within few days after the king was gone through that army, in his way to Scotland, he wrote a letter, which was communicated to both houses, in which he mystically expressed "some new design to have been set on foot for corrupting the army;" for which there was never after the least colour given; but served then to heighten the old jealousies, and to bespeak a misunderstanding for whatsoever should be proposed on his majesty's behalf during his absence.

After their great end was obtained in the execution and death of the earl of Strafford, all men believed, that they would be very forward in dismissing the Scottish army, and disbanding the other, which cost the kingdom so vast a sum of money every month; and they had already voted a brotherly assistance to the Scots of three hundred thousand pounds, for the service they had performed; and an act was already prepared for the raising the sum: but they had yet no mind to part with their beloved brethren.

The commissioners who treated with the Scots had agreed, "that the king should be present in his parliament at Edinburgh, by such a day in July, to pass the act for pacification between the two kingdoms, and such other acts as his parliament there should propose to him;" and his majesty prepared to begin his progress, soon enough to be in Scotland by the time; and they resolved on all sides, "that the one army should be drawn out of the kingdom, and the other totally disbanded, before the king should arrive in the northern parts, for many reasons." As they had lost all confidence in the affections of the English army, so there were many jealousies arisen among the Scots, both in their army, and amongst their greatest counsellors: notwithstanding all which, instead of making haste to the disbanding, they published much jealousy and dissatisfaction to remain with them of the court; "there were some evil counsellors still about the king, who obstructed many gracious acts, which would otherwise flow from his goodness and bounty towards his people; and made ill impressions in him of the parliament itself, and its proceedings."

Their design was to remove the duke of Richmond from the king, both because they had a mind to have his office of warden of the cinque-ports from him, that it might be conferred on the earl of Warwick; and as he was almost the only man of great quality and consideration about the king, who did not in the least degree stoop, or make love to them, but crossed them boldly in the house; and all other ways pursued his master's service with his utmost vigour and intentness of mind: they could not charge him with any thing like a crime, and therefore only intended by some vote to brand him, and make him odious; by which they presumed, they should at last make him willing to ransom himself by quitting that office: for which there was some underhand treaty, by persons who were solicitous to prevent farther inconveniences; and,

as they found any thing like to succeed in that, they slackened or advanced that discourse of evil counsellors.

One day they were very warm upon the argument, and had a purpose to have named him directly, which they had hitherto forbore to do, when Mr. Hyde stood up, and said, "He did really believe that there yet remained some evil counsellors, who did much harm, about the king; and that it would be much better to name them, than to amuse the house so often with the general mention of them, as if we were afraid to name them:" he proposed, "that there might be a day appointed, on which, upon due reflections upon those who had been most notorious in doing mischief to the public, we might most probably find, who they were who trod still in the same paths, and might name them accordingly; and that for his part, if a day were appointed for that discovery, he would be ready to name one, who, by all the marks we could judge by, and by his former course of life, might very reasonably be believed to be an evil counsellor."

They were exceedingly apprehensive (as they had cause) that he meant the marquis of Hamilton, (who, for the reasons aforesaid, was very dear to them, (and thenceforward, though they desisted not from prosecuting the duke, till at last they had compelled him to quit the cinque-ports to the earl of Warwick, they no more urged the discovery of evil counsellors. And all the familiar friends of Mr. Hyde were importuned to move him, "not to endeavour to do any prejudice to the marquis of Hamilton;" and even the king himself was prevailed with to send to him to that purpose: so industrious was that people to preserve those whom for private ends they desired to preserve, as well as to destroy those who they desired should be destroyed.

When every body expected that nothing should be mentioned in the house but the despatch of the treaty of the pacification, by the commissioners on both sides; which was the only obstruction to the discharge of the armies, and which could be done in two days, if they pursued it; they called in a morning "for the bill" (that had so long before been brought in by sir Edward Deering) "for the extirpation of episcopacy," and gave it a second reading; and resolved, "that it should be committed to a committee of the [whole] house, and that it should be proceeded upon the next morning." It was a very long debate the next morning, after the speaker had left the chair, who should be in the chair for the committee; they who wished well to the bill having resolved "to put Mr. Hyde into the chair, that he might not give them trouble by frequent speaking, and so too much obstruct the expediting the bill;" they who were against the bill pressed and called loud for Mr. Crew to be in the chair: but in conclusion, Mr. Hyde was commanded to the chair; they who were enemies to the bill being divided in opinion, many believing, that he would obstruct the bill more in that place, than if he remained at liberty; and they found it to be true.

The first day the committee sat full seven hours, and determined, "that every day, as soon as the house was resumed, the chairman should report the several votes of that day to the house, which should determine them before it rose;" which was without any precedent, and very prejudicial to

the grave transaction of the business: for, besides that it was a preengaging the house in its judgment, when the bill engrossed should be put to the question; it was so late every day before the house was resumed, (the speaker commonly leaving the chair about nine of the clock, and never resuming it till four in the afternoon,) that it was very thin; they only, who prosecuted the bill with impatience, remaining in the house, and the others, who abhorred it, growing weary of so tiresome an attendance, left the house at dinner-time, and afterwards followed their pleasures: so that the lord Falkland was wont to say, "that they who hated bishops, hated them worse than the devil; and that they who loved them, did not love them so well as their dinner."

However, the chairman perplexed them very much; for, besides that at the end of his report every day to the house, before the house put the question for the concurrence in the votes, he always enlarged himself against every one of them, and so spent them much time; when they were in the heat and passion of the debate, he often ensnared them in a question: so that when he reported to the house the work of the day, he did frequently report two or three votes directly contrary to each other, which, in the heat of their debate, they had unawares run into. And after near twenty days spent in that manner, they found themselves very little advanced towards a conclusion, and that they must review all that they had done; and the king being resolved to begin his journey for Scotland, they were forced to discontinue their beloved bill, and let it rest; sir Arthur Haslerig declaring in the house, "that he would never hereafter put an enemy into the chair:" nor had they ever after the courage to resume the consideration of the bill, till after the war was entered into.

The time being come, within two or three days, (according to his former declaration,) for the king's journey into Scotland, the house of commons thought it time to lay aside their disputes upon the church, which every day grew more involved, and to intend the perfecting the act of pacification, and the order for disbanding; both which were thought necessary to be despatched, before his majesty should begin his progress; and might have been long since done. On a sudden, the house of commons grew into a perplexed debate, concerning the king's journey into Scotland (which had been long before known, and solemnly promised by his majesty to the commissioners of Scotland; where preparation was made for his reception, and the parliament summoned there accordingly); expressed many dark and doubtful apprehensions of his safety, not without some glances, "that if his majesty were once with his army, he might possibly enter upon new counsels, before he consented to disband [it];" and in the end concluded, "to desire the lords to join with them in a request to the king, to defer his journey into Scotland, till the act of pacification was passed, the armies disbanded, and till such other acts were prepared, as should be thought necessary for the good of the kingdom;" without mentioning any time, against which those things should be ready: which, though it was an unreasonable request, yet most men having no mind he should go into Scotland, it was consented to by both houses; and thereupon an address was made to his majesty to that purpose: who returned his answer, "that he was sorry, the

"houses, having had so long notice of his intention for that journey, (which could not but appear very necessary to them,) had neglected to prepare all such things, as were necessary to be despatched by him before he went; that, though his presence in Scotland was depended upon by such a day, and the disappointment might beget some prejudice to him, yet, he was content to satisfy their desires so far, as to defer his journey for fourteen days; within which time they might make all things ready that were of importance, and beyond which time it would not be possible for him to make any stay."

This time being gotten, they proceeded but slowly in the direction for disbanding, (though the earl of Holland was gone down to the army,) or in the act of the pacification; but continued their mention "of fears and jealousies of the peace of the kingdom; of an invasion from foreign parts; and an insurrection of the papists in England: for all which, they said, there was not yet sufficient provision, by the laws and constitution of the kingdom." And therefore one day, sir Arthur Haslerig (who, as was said before, was used by that party, like the dove out of the ark, to try what footing there was) preferred a bill "for the settling the militia of the kingdom, both by sea and land, in such persons as they should nominate;" with all those powers and jurisdictions, which have been since granted to the earl of Essex, or sir Thomas Fairfax, by land, or to the earl of Warwick, by sea. There were in the bill no names, but blanks to receive them, when the matter should be passed; though men were assured, that the earl of Essex was their confident by land, and the earl of Northumberland by sea: and yet the inclination to the earl of Warwick would have begot some disturbance, if the matter had come then to be pressed.

When the title of this bill was read, it gave so general an offence to the house, that it seemed inclined to throw it out, without suffering it to be read; not without some reproach to the person that brought it in, "as a matter of sedition;" till Mr. Saint-John, the king's solicitor, rose up, and spake to it, and (having, in truth, himself drawn the bill) said, "he thought that passion and dislike very unseasonable, before the bill was read; that it was the highest privilege of every member, that he might propose any law, or make any motion, which, in his conscience, he thought advantageous for the kingdom, or the place for which he served. For the matter, which by the title that bill seemed to comprehend, he was of opinion, that something was necessary to be done in it; for he was sure, that such power, as might be necessary for the security of the kingdom, over the militia, was not yet by law vested in any person; or in the crown itself: that they had lately by their votes blasted and condemned the power of lords lieutenants, and their deputies, which had been long exercised, and submitted to by the people; that, since that was determined, it was necessary to substitute such in their room, as might be able to suppress any insurrection, or resist an invasion: and therefore, that it was fit to hear the bill read; and if any fitting expedient were proposed in it to that purpose, to embrace it; otherwise, to think of a better. For the nomination of persons, it would not be seasonable to speak of it, till the power and jurisdiction were first settled and constituted:

"and then, if it seemed too great for any subject, it might be devolved upon the crown; which yet was not sufficiently possessed of a legal power to the purposes aforesaid."

Upon this discourse, by a person of the king's sworn council, the bill was read; but with so universal a dislike, that it was never called upon the second time, but slept, till long after the matter of it was digested in ordinances.

The peremptory day again drawing very near, for the king's journey into Scotland, and very little done towards the public, since the time they had prevailed with his majesty to suspend it, on a Saturday in the afternoon (the progress being to begin on Monday) they fell into unusual passion again against the king's going into Scotland: the which they thought of so great importance to be hindered, that they resolved (and prevailed with the lords to do the like) to sit the next day, being Sunday; which had never before been known, since the first institution of parliaments; and which they thought fit to excuse by a short declaration, that the people might not be thereby encouraged to profane the sabbath.

When they found the king constant to his former resolution, and that all they could allege could prevail no farther with him than, whereas he intended to go Monday after dinner, to stay till Tuesday morning, they very earnestly proposed, "that he would leave a commission with some persons, to pass such acts as should be prepared and pass both houses in his absence; and to make a *custos regni*, to supply the place of government till his return:" with many other extravagancies, which themselves understood not. But when they found that no such commission could be legally granted, to consent to any acts that were not consented to by both houses at the date of the commission; and that both the person and the power of a *custos regni* would be duly weighed, and would take up much consideration, if the king were willing to satisfy them; they were contented with a commission to the earl of Essex, of lieutenant-general of that side Trent: which his majesty having granted; and confirmed the act of pacification between the two kingdoms, (which in great haste was transacted in both houses, as if it had been only matter of form,) he took his journey from London towards Scotland toward the middle of August, leaving both houses sitting at Westminster.

The unexpected passion and importunity to hinder his majesty's journey into Scotland was not well understood; and the less, for that the governing party was divided upon it: some of them, with trouble equal to what they had at any time expressed, insisting upon his not going; others alleging, "that his majesty was so far engaged in it, that he could not in honour recede from it:" whilst the Scottish commissioners, who were often appealed and referred to in the debate, answered so mysteriously, as argued rather a convenience, and expectation of the journey itself, than any necessity in point of time. Neither was the ground of his majesty's so positive and unalterable resolution of going thither, sufficiently clear to standers by; who thought he might have transacted the business of that kingdom (where he could not reasonably expect any great reverence to his person) better at a distance; and that his presence might be more necessary in this.

But, as his majesty's impatience to see both armies disbanded, and this kingdom freed from the invasion, (both which he heartily desired,) and his desire to refresh himself, from the vexation which the two houses, or one of them, or some in one of them, daily gave him; hurried him to that expedition, without well weighing and preparing how to comport himself through it: so, no doubt, that opposition, and instance against it (besides the natural desire they had to remove the king from any fixed resolution) proceeded partly, to procure an excuse for the hasty passing the bill of pacification; which they had purposely retarded (foreseeing there were many particulars in it, that, if weighed, would never have been consented to) till they might be so straitened in time, that whoever objected against what was offered, might seem to hinder the disbanding, and to necessitate the king's longer stay: but principally hoping, that his majesty, rather than defer his journey, on which he was resolved, would consent to any unreasonable qualifying such person whom they should name, with power in his absence; except there were some real jealousy of the Scots at that time, and between the Scottish commissioners themselves, (as was conceived by some,) by reason of great addresses made to the king by the earl of Rothes, the principal and governing person of that nation, and some insinuation of favour from his majesty to him; so that they did in earnest desire to put off that journey, for fear of disturbance there.

The truth is, the king was well satisfied with the promises made to him by that earl; who desired to live in this court, and should have been shortly made gentleman of the bedchamber, and had himself a hope to marry a great and wealthy lady: and it is certain, the king expected, by his help and interest, to have found such a party in Scotland, as would have been more tender of his honour than they after expressed themselves; and did always impute the failing thereof to the absence of that earl, who being sick at the king's going from London, within six weeks after died. But others believed, he had been so far guilty of what had been done amiss, that he would neither have been able nor willing to preserve the foundation of that power, which could hardly have forgotten by what means it had been oppressed.

I must not omit here, the disbanding another army, about the same time; the circumstances whereof were very remarkable, and the cause of much trouble that ensued. The king perceiving that he was not now like to have any use of the new army in Ireland; at least not that use for which it was raised, (which was, to have visited Scotland,) and finding often mention, enviously and maliciously, made of that army in the house of commons; and having from thence (by the advice of the committee for Ireland) received some addresses for that purpose; resolved to disband them; and, to that end, signified his pleasure to the lords justices of Ireland, and to the earl of Ormond, his lieutenant-general of that army; directing withal (according to the last advice he had received from the earl of Strafford) "that any officers of the army should have free leave to transport what men he could get of that army, for the service of any prince in amity with this crown:" and shortly after, upon the earnest desire of don Alonso de Cardinas, ambassador from the king of Spain, his majesty consented, that four thousand soldiers

of that army should be transported for the service of that king into Flanders; at the same time permitting as many as desired the same, to be transported for the service of the French king. This was no sooner known, but the house of commons interposed, with their accustomed confidence and distemper, "to beseech his majesty to revoke that license:" and, by impertinent and slight reasons, boldly urged and insisted on, as they did in every thing else, prevailed with the king "to inhibit the transporting any of those soldiers out of that kingdom, for the service of any prince whatsoever."

Many were of opinion that this activity in a business of which they had not the least connivance, proceeded from the instigation of the ambassador of the French king; who was very conversant with the principal persons of that faction, and no doubt fomented those humours out of which the public calamities were bred; and some said boldly, and an obscure person or two have since affirmed it, as upon their knowledge, "that Mr. Pym received five thousand pound from that French minister, to hinder that supply to Spain." Others believed, that it proceeded only from that proud and petulant spirit which possessed them, to lessen the reputation of the king; and to let the king of Spain and all other princes see the power they had, to oppose and cross his resolutions in the most pure acts of sovereignty. But I believe, though there might be a mixture of both the other reasons, the principal motive that induced them to that interposition, was the advice and desire of the committee from the parliament of Ireland, whose counsel was entirely followed in whatsoever concerned that kingdom; and who, no doubt, had then designed the rebellion that shortly after broke out, which could hardly have taken effect, if that body of men had been removed out of the kingdom, according to the king's direction. But of that more in its place.

As soon as the king began his journey for Scotland, all orders, and what else was necessary, were despatched for the disbanding; and a resolution taken, "to send a committee of lords and commons to attend his majesty (that is, to be a spy upon him) in Scotland, and to be present when the act of pacification should be transacted in that parliament, and to preserve the good intercourse and correspondence which was begun between the two nations:" but in truth, to lay the scene how the next year should be spent; and to bespeak new laws for this kingdom, by the copies of what should be consented to for that.

In this errand two lords, and four of the commons, were appointed to go; but for the two lords, the lord Howard of Escrick served [the] turn; who was naturally to be governed by Mr. Fiennes, and Mr. Hambden, who, together with sir William Armyn, made up the committee. Which being despatched, they thought it time to breathe a little, and to visit their counties, for whom they had done such notable service: and so, towards the latter end of August, (having first constituted a committee to sit during the recess for the despatch of any important occurrences, and qualifying them with power they could not depute; such a committee, and such a qualification, having never been before heard of in parliaments,) both houses adjourned themselves till the middle of October following, by which time they presumed the king

would be returned from Scotland; having, from the time that they were first convened, which was about nine months, (longer time than ever parliament had before continued together in one session,) besides all their extraordinary acts of blood and power, procured the king's assent to these following important laws; by which, the kingdom might have received ample benefit and advantage.

"A bill for the triennial parliament:" which took up a long debate; there being many clauses, in case the crown [should] omit the sending out of writs, derogatory to majesty, and letting the reins too loose to the people: yet, since it was evident, that unspeakable inconveniences had befallen the kingdom by the long intermission of those conventions; and that that intermission could not have happened, if there had not been some neglect of what had been settled by former laws; and therefore there was some reason for those clauses, by which the crown could in no case suffer, but by its own default. It found an easy passage through both houses; and by his majesty (who was satisfied that such a frequency of meeting with his people, as once in three years, might be more convenient than prejudicial to his service; and believed, that, by his consenting to this act, the proceedings in this parliament would be more moderate) it had an equal reception, and was enacted by him the next day after it passed both houses.

"An act for the taking away the high commission court:" which comprehended much more than was generally intended. That jurisdiction was erected by a statute in the first year of queen Elizabeth, instead of a larger power which had been exercised under the pope's authority, then abolished; and, whilst it was exercised with moderation, was an excellent means to vindicate and preserve the dignity and peace of the church: though, from the beginning, it was not un murmured against by the non-conformable party of the kingdom.

But of late, it cannot be denied, that, by the great power of some bishops at court, it had much overflowed the banks which should have contained it; not only in meddling with things that in truth were not properly within their connasance; but extending their sentences and judgments, in matters triable before them, beyond that degree that was justifiable; and grew to have so great a contempt of the common law, and the professors of it, (which was a fatal unskilfulness in the bishops, who could never have suffered whilst the common law had been preserved,) that prohibitions from the supreme courts of law, which have, and must have, the superintendency over all inferior courts, were not only neglected, but the judges reprehended for granting them, (which without perjury they could not deny,) and the lawyers discountenanced for moving them, (which they were obliged in duty to do;) so that thereby the clergy made a whole nation, that is, almost a whole profession, if not their enemy, yet very undevoted to them.

Then, it was grown from an ecclesiastical court, for the reformation of manners, to a court of revenue, and imposed great fines upon those who were culpable before them; sometimes above the degree of the offence, had the jurisdiction of fining been unquestionable: which it was not. Which

course of fining was much more frequent, and the fines heavier, after the king had granted all that revenue (whatsoever it should prove to be) to be employed for the reparation of St. Paul's church; which, though it were a glorious work, and worthy the piety of those who advanced it, and the greatness of his mind who principally intended it, made the grievance less popular.

By these means (besides the conflux and reputation of that part of the clergy which had formerly been obnoxious, and suppressed by the bishops: which I do not mention as any piece of their exorbitancy; for I do not know that ever any innocent clergyman suffered by any ecclesiastical censure; though, it may be, the guilty were more severely proceeded against, and with less politic circumstances, than the nature of that time required) that court had very few friends; and having many enemies, the proposition for abolishing it was easily hearkened to; of which the violent party easily taking notice, they who prepared the bill inserted clauses, that not only took away the high commission court, which was intended, but, upon the matter, the whole ecclesiastical jurisdiction; and, under pretence of reforming the great abuses by the oath *ex officio*, and excommunication, destroyed and cancelled all coercive power whatsoever in those courts, which was never intended: yet, in that hurry, it made a progress through both houses, and attended the royal assent. But, when his majesty understood the extent thereof, and how far the body of the bill exceeded the title; and that, instead of reformation, it was opening a door to the most scandalous offences, and leaving adultery and incest as unpunishable, as any other acts of good fellowship; he made a pause in the consenting to it, till both houses might review whether their remedy were proportionable to the disease.

Immediately the fire was kindled against the bishops, as the only obstacles to any reformation; with some passionate insinuations, "that, since they opposed a due regulation of their power, there would be no way but to cut them off root and branch." And thereupon some bishops themselves were again made instruments; and others, who pretended to take care of the church, persuaded the king, "for the bishops' sake, to confirm that bill:" whilst the designers were much pleased to find that logic prevail; little doubting, that when they had taken away their jurisdiction in the church, by that bill, and their dignity in the state, by removing them out of the house of peers, they should find it no hard matter to abolish their names and titles out of the kingdom; and to enjoy their goodly lands and revenues, which could only make the reformation perfect and complete. And in this manner that law was enacted.

"A bill for taking away the star-chamber court." The progress of which bill was this. The exorbitances of this court had been such (as hath been before touched) that there were very few persons of quality who had not suffered, or been perplexed, by the weight or fear of those censures and judgments. For, having extended their jurisdiction from riots, perjury, and the most notorious misdemeanours, to an asserting all proclamations, and orders of state; to the vindicating illegal commissions, and grants of monopolies, (all which were the chief groundworks of their late proceedings,)

no man could hope to be longer free from the inquisition of that court, than he resolved to submit to those, and the like extraordinary courses. And therefore there was an entire inclination to limit and regulate the proceedings of that court: to which purpose, a bill was brought in, and twice read, and, according to custom, committed. It being returned after by the committee, and the amendments read; it was suddenly suggested, (by a person not at all inclined to confusion, or to the violent party that intended that confusion,) "that the remedies provided by that bill were not proportionable to the diseases; that the usurpations of that court were not less in the forms of their proceeding, than in the matter upon which they proceeded; insomuch that the course of the court (which is the rule of their judging) was so much corrupted, that the grievance was as much, in those cases of which they had a proper conscience, as by their excess in holding pleas of that, in which, in truth, they had no jurisdiction: and therefore he conceived, the proper and most natural cure for that mischief would be, utterly to abolish that court, which [it] was very difficult, if not impossible, to regulate; and, in place thereof, to erect and establish such a jurisdiction as might be thought necessary." Hereupon, the same bill was re-committed, with direction, "so far to alter the frame of it, as might serve utterly to take away and abolish that court:" which was accordingly done; and again brought to the house, and engrossed, and sent up to the lords. So that important bill was never read but once in the house of commons, and was never committed; which, I believe, was never before heard of in parliament.

It could not meet with any opposition in the house of peers: all who had been judges there having their several judgments hanging like meteors over their heads; and the rest, being either grieved or frightened by it: and so, being brought to his majesty, received his royal assent.

Thus fell that high court, a great branch of the prerogative; having been rather extended and confirmed, than founded, by the statute of the tenth year of king Henry the Seventh: for, no doubt, it had both a being and a jurisdiction before that time, though vulgarly it received date from thence; and, whilst it was gravely and moderately governed, was an excellent expedient to preserve the dignity of the king, the honour of his council, and the peace and security of the kingdom. But the taking it away was an act very popular; which, it may be, was not then more politic, than the reviving it may be thought hereafter, when the present distempers shall be expired.

"An act for the certainty of the meets, bounds, and limits of all the forests in England:" which was a great benefit and ease to the people; who had been so immoderately vexed by the justice in eyre's seat, (exercised with great rigour by the earl of Holland, and revived by Mr. Noy, when he was attorney general,) that few men could assure themselves their estates and houses might not be brought within the [jurisdiction of] some forest; the which if they were, it cost them great fines: and therefore, to ease them of their future fears, the king departed with his own unquestionable right (which would, a year before, have been purchased at the price of two hundred thousand pounds) without any murmur for severity.

"An act, that no clerk of the market of his majesty's house should execute his office in any part of the kingdom, but only within the verge of the court: and the execution of that office granted to mayors and bailiffs of towns corporate; and to the lords of liberties and franchises, and to their deputies." By which, the people through England were freed from many petty vexations and extortions, which the deputies and agents for that office (who commonly farmed the perquisites of that office, within several limits) exercised over them. And let no man say, that this was but an act of justice, for the redress of visible misdemeanours which his own officers were guilty of; and that his majesty parted with nothing of profit to himself, by that act: for the misdemeanours of any office may be prevented, and punished, and redressed, without the taking away, or suppressing, the office itself; which is an instance of power, and prerogative. And the other was used as an argument heretofore (which few have since approved) for the passing away most of the old rents of the crown, "that they yielded little profit to the crown, being always swallowed by the many officers incumbent to that service;" without considering, that even those many officers are of the essential honour and greatness of princes. But, as that computation was very erroneous in point of thrift, so it is much more scandalous in point of power; and he, that thinks the king gives away nothing that is worth the keeping, when he suffers an office, which keeps and maintains many officers, to be abolished and taken away, does not consider, that so much of his train is abated, and that he is less spoken of, and consequently less esteemed, in those places where that power formerly extended; nor observes, how much private men value themselves upon those lesser franchises and royalties, which especially keep up the power, distinction, and degrees of men.

"An act for the prevention of vexatious proceedings touching the order of knighthood:" by which, to expiate the trespasses which had been lately committed by the rigorous circumstances of proceeding upon that claim, the king parted with, and released to his people, a right and duty, as unquestionably due to him by the law, as any service he can lay claim to; and such, as the subject received the discharge of it, as a singular benefit and advantage to him.

"An act for the free making saltpetre and gunpowder within the kingdom:" which was a part of the prerogative; and not only considerable, as it restrained that precious and dangerous commodity from vulgar hands; but, as in truth it brought a considerable revenue to the crown; and more to those, whom the crown gratified and obliged by that license. The pretence for this exemption was, "the unjustifiable proceeding of those (or of inferior persons qualified by them) who had been trusted in that employment;" by whom, it cannot be denied, many men suffered: but the true reason was, that thereby they might be sure to have in readiness a good stock in that commodity, against the time their occasions should call upon them.

"An act against divers encroachments and oppressions in the stannary courts:" the logic of which act extended itself to all inferior courts, and manner of proceedings throughout the kingdom; though the full measure of that benefit seemed to



be poured out upon the two counties of Cornwall and Devonshire; the people whereof had been so much oppressed by the jurisdiction of that court, (supported and extended with great passion and fury by the earl of Pembroke, the lord warden of those stannaries,) that both prohibitions, and habeas corpus's from the king's bench, had been disobeyed and neglected; not without some personal affront, and reproach to all the judges of that court: and therefore, it could not but be great ease of heart to those parts, to be freed from the exorbitancy of that oppression.

"An act, whereby all the proceedings in the business of ship-money were adjudged void, and disannulled; and the judgments, enrolments, and entries thereupon, vacated and cancelled:" which (how just and necessary soever) was a frank departure from a right, vindicated by a judgment in the exchequer-chamber, before all the judges

in England; and therefore deserved a just acknowledgment; besides that, some clauses in that statute assert the subject's liberty and property, beyond what was done by the petition of right; which needed an additional establishment.

These acts of parliament, finished and enacted in the time we speak of; besides the quitting the long used right of imposing upon foreign trade, in the preamble of the bill for tonnage and poundage; and besides that fatal bill for the continuance of this parliament; will be hereafter acknowledged by an incorrupted posterity, to be everlasting monuments of a princely and fatherly affection to his people; and such an obligation of repose and trust from the king in the hearts of his subjects, that no expressions of piety, duty, and confidence, from them, could have been more than a sufficient return on their parts: which how they performed, is to follow in the next place.

END OF THE THIRD BOOK.

## THE HISTORY OF THE REBELLION, &c.

### BOOK IV.

WHEN the king came to York, which was about the middle of August, he found no part of either army disbanded; for, though orders had been issued to that purpose, yet the money, without which it could not be done, was not yet come to their hands; and because so great a sum could not be presently procured, as would satisfy both, an act of parliament had been passed, for the satisfaction of the principal officers of the king's army, by which they were promised payment, upon the public faith, in November following; till which time they were to respite it, and be contented that the common soldiers, and inferior officers, should be fully satisfied upon their disbanding.

During the time of the king's abode at York, which was not many days, the earl of Holland, lord general, made a suit to him for the making a baron; which, at that time, might have been worth to him ten thousand pounds. Whether the king apprehended the making an unfit man, who might disserve him in the house of peers; or whether he resolved to contain himself from enlarging that number, except upon an extraordinary relation to his own service, I know not: but he thought not fit, at that time, to gratify the earl: by which he took himself to be highly disobliged, (as the courtiers of that time took whatsoever was denied to them, as to be taken from them,) and having received some information, from sir Jacob Ashley and sir John Coniers, of some idle passages in the late tampering with the army to petition, which had

not been before heard of; as soon as the king was gone towards Scotland (though his majesty hath since told me, "that he thought he had left the earl at parting in very good humour, and devotion to his service") he wrote a letter to the earl of Essex, to be communicated in parliament, "that he found there had been strange attempts made to pervert and corrupt the army, but, he doubted not, he should be able to prevent any mischief:" the whole sense being so mysterious, that it was no hard matter, after it was read in both houses, to persuade men, that it related to somewhat they had yet never heard; and being dated on the sixteenth day of August, which must be the time that the king was there, or newly gone, (for he took his journey from London on the tenth,) seemed to reflect on somewhat his majesty should have attempted. Hereupon their old fears are awakened, and new ones infused into the people; every man taking the liberty of making what interpretation they pleased of that which no man understood.

The papists were the most popular common-place, and the butt against whom all the arrows were directed; and so, upon this new fright, an order was made by both houses "for disarming all the papists in England:" upon which, and the like orders, though seldom any thing was after done, or no matter of moment, yet it served to keep up the fears and apprehensions in the people, of dangers and designs, and to disincline them from any reverence or affection to the queen, whom they



began every day more implacably to hate, and consequently to disoblige. And, as upon those, and the like light occasions, they grew to a license of language, without the least respect of persons, of how venerable estimation soever; so they departed from any order or regularity in debate; or rules and measure in judging; the chief rulers amongst them first designing what they thought fit to be done, and the rest concluding any thing lawful, that they thought, in order to the doing or compassing the same: in which neither laws nor customs could be admitted to signify any thing against their sense.

I remember, about that time, in the providing money for the disbanding the armies, upon which they were marvellously solicitous, from the time that the king went towards the north, there arose a question, "Whether Wilmot, Ashburnham, and Pollard, should receive their pay due to them upon their several commands, lying under the charge of the plot, for bringing up, and corrupting the army;" very many passionately alleging, "that such men ought not to receive their pay, who had forfeited their trust:" yet there wanted not many who alleged, "that they had the security of an act of parliament for their payment, and that in justice it could not be detained from them; that, though they lay under the displeasure of the house, yet there was so far from a judgment, that there was not so much as a charge against them, but that they were at liberty under bail; and therefore they could not be said to have forfeited any thing that was their own." In this debate the house seemed equally divided, till one, who well knew what he said, told them, "that there could not be any reasonable pretence for detaining their due, as well for the reasons that had been given, as, that they were absolutely pardoned by the late act of oblivion, and pacification, between the two kingdoms:" the which was no sooner said, than many of those who were before inclined to the gentlemen, changed their opinions, and, without so much as calling to have the statute read, declared, "that they could have no benefit by that act of parliament, because then, the same might be as well applied to the archbishop of Canterbury." And so, without further weighing the law, or the reason, it was thought sufficient, not only to exclude them from that benefit, but to bar them from their money; lest they might be thought to be admitted to it for that reason, which might prove an advantage to another, to whom they had no inclination to be just. And no question, they had been overseen in the penning that statute; the words, in their true and genuine signification and extent, comprehending as well the archbishop of Canterbury, as those who at that time had no contempt of the security they reaped thereby.

Soon after the king went into Scotland, there being some motion "to adjourn the houses till after Michaelmas," which seemed to be generally inclined to, very many of both houses being willing to refresh themselves in the country, after so long absence from their homes, (the summer being far spent, and the plague increasing; of which some members had died: and others were in danger, having been in infected houses,) and conceiving, that there was no more to be done till the return of the king, save only the procuring money to finish the disbanding; went into the country: and others, who stayed in the town, were less so-

licitous to attend the public service; but betook themselves to those exercises and refreshments which were pleasanter to them: insomuch, as within twenty days after the king's remove, there were not above twenty lords, nor much above a hundred commoners, in both houses. But this was the advantage they looked for; those persons continuing (especially in the house of commons) to whose care and managery the whole reformation was committed. They now entered upon the consultation of the highest matters, both in church and state; and made attempts and entries upon those regalities and foundations, which have been since more evident in wider and more notorious breaches.

So when they assumed the power to control and reverse the license and power granted by the king to the Spanish ambassador, for transporting four thousand Irish soldiers upon the disbanding that army into Flanders, (as was before touched,) and to the French ambassador, for three thousand of the army disbanded here, for the service of that king; in debate whereof they used all license to look into the mysteries of state, and to weigh the interest of kingdoms, of which very few of them could be competent considerers, though they had been qualified by authority. In these irregular and undutiful contests, the French ambassador, whose business was to foment the jealousies between the king and people, had insinuated himself into that liberty of transporting men for his master's service, with no other design, than to be thereby enabled to contribute towards the affronting the king, by departing from it, to ingratiate the houses; and, therefore, having very particular intercourse and correspondence with the prime managers, as soon as upon their first addresses his majesty had signified his engagement to the two kings, and that he could not in honour recede from what he had promised, he voluntarily offered to acquit the king of that supply which concerned his master, if his majesty would likewise retract what was expected by the Spaniard; which gave them opportunity so importunately to press his majesty, who had no other counsel to consult with upon any despatches, but such as durst not contradict their overtures, (secretary Vane then waiting on him,) that he departed from his former resolutions and concessions; and so to common understanding disoblinded both crowns, with that disadvantage to himself, that both thereby found his want of power; and the Spaniard from thence (besides the inflammation of the correspondence with Portugal) took occasion to comply with those, who they found could do them hurt; whilst the French delighted themselves both with disappointing their enemy, and cozening their friends; to whom, in truth, they were more irreconcilable than to the other. Whether in that conjuncture of the affairs of Christendom, the resolution was well taken of supplying those two kings, or either of them, with soldiers at that time, or whether either kingdom could then well spare auxiliaries to another, I will not now consider; but the counsel being once taken, it was in view that the retracting of it by their advice, who naturally were not counsellors in those mysteries, and yet were very apt to extend and usurp the jurisdiction and right of advising, upon the least precedent of admission, would open a door to let in many bold desires, to the king's disadvantage.

From this liberty and success of advising what was fit to be done without the walls of the kingdom, with reference to the levies for France and Spain, they assumed the same freedom, of consulting and determining what was not fit, within the walls of the church; and finding their numbers to be so thin, that they might, by art or accident, prevail with the major part to be of their mind; and to gratify the more violent party of the reformers, (who, with great impatience, suffered themselves to be contained within any bounds or limits, by those who knew better how to conduct their business,) they entered upon debate of the Book of Common-Prayer, (which sure, at that time, was much revered throughout the kingdom,) and proposed, "in regard (they said) many things in it gave offence, at least umbrage, to tender consciences, that there might be liberty to disuse it:" which proposition was so ungracious, that, though it was made in a thin house, and pressed by those who were of the greatest power and authority, it was so far from being consented to, that by the major part (the house consisting then of about six score) it was voted, "that it should be justly and duly observed."

However, the next day, contrary to all rules and orders of parliament, very many being absent who had been active in that debate, they suspended that order; and resolved, "that the standing of the communion-table in all churches should be altered;" the rails (which in most places had been set up for the more decency) "should be pulled down; that the chancels should be levelled, and made even with all other parts of the church; and that no man should presume to bow at the name of Jesus," (which was enjoined by a canon, and of long usage in the church;) and having digested these godly resolutions into an order, they carried it up to the lords for their concurrence; promising themselves, that, from the small number which remained there, they should find no dissent. But the major part of the lords being much scandalized, that the house of commons should not only unseasonably, and irregularly, interpose in a matter of which they had not the least jurisdiction; but should presume to disturb the peace of the church, and interrupt the settled and legal government thereof, by such schismatical presumption, not only refused to join with them, but, instead thereof, directed an order, formerly made by the house of peers, (on the sixteenth of January before,) to be printed, to this effect: "that the divine service should be performed, as it is appointed by the acts of parliament of this realm; and that all such as shall disturb that wholesome order, shall be severely punished, according to the law;" and acquainted the commons therewith: who, nothing satisfied, pursued their former order; and, "commanding all the commons of England to submit to their direction, declared, that the order of the lords was made by the consent but of eleven lords, and that nine other lords did dissent from it; and, therefore, that no obedience should be given thereunto." Whereas the order had been made in full parliament, seven months before; and was seasonably ordered to be published, by the major part present, upon that important occasion. And such an arrainging the house of peers, for publishing an order in maintenance of the laws established, by those who had no authority to de-

clare what the law was, nor a jurisdiction over those who should infringe the law, was so transcendent a presumption, and breach of privilege, that there was great expectation what the lords would do in their own vindication.

There was one clause in the act of pacification, "that there should be a public and solemn day of thanksgiving, for the peace between the two kingdoms of England and Scotland:" but no day being appointed for that act of indevotion, the lords and commons assumed the power to themselves of directing it; and, to that purpose, made an ordinance, as they called it, "that it should be observed on the seventh of September following, throughout the kingdom of England and dominion of Wales." Which was done accordingly; the factious ministers in all pulpits taking occasion then to magnify the parliament, and the Scots; and to infuse as much malignity into the people, against those who were not of that faction, as their wit and malice could suggest; the house of commons celebrating that day in the chapel at Lincoln's Inn; because the bishop of Lincoln, as dean of Westminster, had formed a prayer for that occasion, and enjoined it to be read on that day, in those churches [where he had jurisdiction]; which they liked not: both as it was formed, and formed by him; and so avoided [coming there].

After the solemnization of that day, and the making their declaration against the lords, about the order above mentioned, and the recommending some seditious, unconformable ministers, to be lecturers in churches about London, which the ministers were compelled to receive: when they had great apprehension, by their members leaving them, that they should not have forty remaining, (less than which number could not constitute a house of commons,) they consented to a recess; and on the ninth day of September, 1641, they adjourned themselves till the twentieth day of October following: either house irregularly (for the like had never before been practised) making a committee, to meet twice a week, and oftener, if they saw cause, during the recess, and to transact such business as they were authorized to do by their instructions.

The house of lords limited their committee (which consisted of the lords of Essex, Warwick, the lords Wharton, Kimbolton, and twelve more; but every three were as able to transact as the whole number) by their instructions, "only to open the letters which should come from the committee in Scotland, and to return answers to them; with power to recall that committee, when they thought fit; to send down monies to the armies; and to assist about their disbanding; and in removing the magazines from Berwick and Carlisle."

But the house of commons thought this power too narrow for their committee; and therefore against order too (for the power of the committees of both houses ought to have been equal) they qualified theirs (which consisted of Mr. Pym, Mr. Saint-John, Mr. Strode, sir Gilbert Gerrard, sir Henry Mildmay, sir Henry Vane, alderman Pennington, captain Venn, and others; every six having the authority of the whole) as well with [the] powers granted to the lords, as likewise, to go on in preparation of proceedings against such delinquents, as were voted or complained against in the house; and to receive any offers [of dis-

"covery] that they should make; to send to all "sheriffs, and justices of peace, upon information "of any riots, or tumults; to stir them up to their "duty in repressing them; and to report to their "house any failing in obedience to their sending; "to take the accounts of any accountants to his "majesty, in order to the preparations of his "majesty's revenue; to consider of framing and "constituting a West India company; and to consider the fishing, upon the coasts of England, "Scotland, and Ireland;" and many other extravagant particulars: which neither of both houses had to do with, but served to magnify the authority of that committee; and to draw resort and reverence to them from almost all sorts of men.

The houses being thus adjourned, the committee of the commons appointed Mr. Pym to sit in their chair; who, forthwith, with his own hand, signed the printed declarations before mentioned, of the ninth of September; and caused them to be so read in all churches in London, and throughout the counties. Whereupon the seditious and factious persons caused the windows to be broken down in churches; broke down the rails, and removed the table, (which, in many churches, had stood in that manner ever since the reformation,) and committed many insolent and scandalous disorders. And when the minister, and the graver and more substantial sort of inhabitants, used any opposition, and resisted such their license, they were immediately required to attend the committee; and, if they could be neither persuaded nor threatened to submit, their attendance was continued from day to day, to their great charge and vexation. If any grave and learned minister refused to admit into his church a lecturer recommended by them, (and I am confident, there was not, from the beginning of this parliament, one orthodox or learned man recommended by them to any church in England,) he was presently required to attend upon the committee; and not discharged till the houses met again; and then likewise, if he escaped commitment, continued, to his intolerable loss and trouble: few men having the patience to endure that oppression, against which they knew not whither to appeal; and therefore in the end submitted to what they could not resist; and so all pulpits were supplied with their seditious and schismatical preachers.

The armies were at last disbanded: and, about the end of September, the earl of Holland, in great pomp, returned to his house at Kensington; where he was visited and caressed, with great application, by all the factious party: for he had now, whether upon the disobligation remembered before, of being denied the making a baron; or upon some information, of some sharp expressions used by the queen upon his letter; and the conscience of that letter: or the apprehensions of being questioned and prosecuted upon the enormities of his office of chief justice in eyre, and other transgressions, fully declared himself of their party. And that they might be the better prepared to keep up the prejudice to the king, and the keenness against the court, till the coming together of both houses; when they had reason to believe the observation of their crooked and indirect courses, and their visible, unwarrantable breaches, upon the church, and the religion established by law, would render men less devoted to them; his lordship furnished

them with many informations of what had passed in the late army, which might be wrested to the king's disadvantage; told them whatsoever the king himself had said to him, when he looked upon him as a person true to him; and when, it is very probable, he was not much delighted with the proceedings at Westminster; and of all the particulars, which sir Jacob Ashley, and sir John Coniers, had informed him, when they took him to be of entire trust with his majesty, and wholly under that consideration, (whereupon they were afterwards examined, and compelled to testify that in public, which they had before imparted to him in the greatest secrecy;) and added to all this, whatever information he had received by the lady Carlisle, of words or actions, spoken or done by the queen, which might increase their jealousy and malice to her majesty. And himself (who had been always believed a creature of the queen's, and exceedingly obliged and protected by her immediate and single grace and favour, against the earl of Portland, the earl of Strafford, and the archbishop of Canterbury, in those high times when they had otherwise destroyed him) visited her majesty but once, from the time of his return out of the north, to the time of the king's return from Scotland, which was full six weeks. And yet, there were some men still at those private meetings at Kensington, who thought the queen's favour a likelier means for their preferment, than the interest of the others; and therefore always gave advertisement to her of what passed in that company: which information, for want of due care in the managery, and by reason of the unfaithfulness of her nearest servants, commonly produced somewhat, of which the other side made greater advantage, than she could do by the knowledge of their counsels and resolutions.

The short recess of the parliament, though it was not much above the space of a month, was yet a great refreshment to those who had sat near a full year, mornings and afternoons, with little or no intermission; and in that warm region, where thunder and lightning was made. Some very unwarrantable proceedings, by the committee that sat during the recess, or Mr. Pym, who sat in the chair of that committee, and issued out those orders concerning the church, gave so much offence and scandal, that the members were like to meet together with more courage, and less inclinations to novelties, than they had parted with. But there were several accidents fell out, some from very little, and some from very great causes, which, though they may not seem precisely pertinent to this present discourse, had that influence upon the nature and spirits of men, and upon the actions of that time, that, for the better understanding some particular passages, which will appear pertinent, it will be even necessary, briefly, and it shall be but very briefly, to mention some of those, how foreign soever.

When the king went into Scotland; for the better preserving the correspondence between the two kingdoms, as was pretended; and to see all things performed, which were to be done in the parliament of Scotland, by the act of pacification; a small committee [as hath been before said] was appointed by the two houses, consisting of one lord and two commoners, to attend (as the phrase was) upon his majesty: but, in truth, to be a spy upon him; and to give the same assistance

to the parliament there, upon any emergent occasion, as the Scottish commissioners had done here.

The person appointed by the lords, was the lord Howard of Escrick, a younger son of the house of Suffolk; who, in the time of the duke of Buckingham, married a niece of his; and having his whole dependence upon him, and being absolutely governed by him, was by him made a baron: but that dependence being at an end, his wife dead, and he without any virtue to promote himself, he withdrew himself from following the court, and, shortly after, from wishing it well; and had now delivered himself up, body and soul, to be disposed of by that party, which appeared most averse, and obnoxious, to the court and the government: and only in that confidence was designed to that employment; and to be entirely disposed and governed by the two members, who were joined with him by the house of commons, and they were, sir Philip Stapleton and Mr. Hambden.

The latter hath been mentioned before, as a man of great parts of understanding, and of great dexterity in nature and manners; and he must upon all occasions still be mentioned as a person of great utility, and equal to any employment or trust, good or bad, which he was inclined to undertake.

The other, sir Philip Stapleton, was a proper man, of a fair extraction; but, being a branch of a younger family, inherited but a moderate estate, about five hundred pounds the year, in Yorkshire; and, according to the custom of that country, [had] spent his time in those delights which horses and dogs administer. Being returned to serve in parliament, he concurred with his neighbours, Hotham and Cholmondeley; being much younger than they, and governed by them in the prosecution of the earl of Strafford; and so was easily received into the company and familiarity of that whole party which took that work to heart; and in a short time appeared a man of vigour in body and mind; and to be rather without good breeding, than not capable of it; and so he quickly outgrew his friends and countrymen in the confidence of those who governed: and they looked upon him, as worth the getting entirely to them; and not averse from being gotten; and so joined him with Mr. Hambden in this their first employment (and the first, that ever a parliament had of that kind) to be initiated under so great a master; whose instruction he was very capable of.

There had been, even from the time the Scottish army entered into England, many factions and jealousies amongst the principal persons of that nation; but none so much taken notice of, as that between the two earls, of Montrose, and Argyle. The former took himself to have deserved as much as any man, in contributing more, and appearing sooner, in their first approach towards rebellion; as indeed he was a man of the best quality, who did so soon discover himself; and, it may be, he did it the sooner, in opposition to Argyle; who being then of the king's council, he doubted not, would be of his party. The people looked upon them both, as young men of unlimited ambition; and used to say, "that they were like Cæsar and Pompey, the one would endure no superior, and the other would have no equal." True it is, that from the time that Argyle declared himself against the king (which was immediately after the first pacification) Montrose appeared with less vigour

for the covenant; and had, by underhand and secret insinuations, made proffer of his service to the king. But now, after his majesty's arrival in Scotland, by the introduction of Mr. William Murray of the bedchamber, he came privately to the king; and informed him of many particulars, from the beginning of the rebellion; and, "that the "marquis of Hamilton was no less faulty, and "false towards his majesty, than Argyle;" and offered "to make proof of all in the parliament;" but rather desired, "to kill them both;" which he frankly undertook to do; but the king, abhorring that expedient, for his own security, advised, "that the proofs might be prepared for the parliament." When suddenly, on a Sunday morning, the city of Edinburgh was in arms; and Hamilton and Argyle both gone out of the town to their own houses; where they stood upon their guards; declaring publicly, "that they had withdrawn "themselves, because they knew that there was a "design to assassinate them; and chose rather to "absent themselves, than by standing upon their "defence in Edinburgh (which they could well "have done) to hazard the public peace and the "security of the parliament; which thundered on "their behalf."

The committee at Edinburgh despatched away an express to London, with a dark and perplexed account, in the morning that the two lords had left the city; with many doubtful expressions, "what the end of it would be;" not without some dark insinuations, as if the design might look farther than Scotland. And these letters were brought to London, the day before the houses were to come together, after the recess; all that party taking pains to persuade others, "that it "could not but be a design to assassinate more "men than those lords at Edinburgh."

And the morning the houses were to meet, Mr. Hyde being walking in Westminster-hall, with the earl of Holland and the earl of Essex, both the earls seemed wonderfully concerned at it; and to believe, "that other men were in danger of the "like assaults:" the other not thinking the apprehension worthy of them, told them merrily, "that "he knew well what opinions they both had of "those two lords, a year or two before, and he "wondered how they became so altered:" to which they answered smiling, "that the times and the "court was much altered since." And the houses were no sooner sat, but the report being made in the house of commons, and the committee's letter from Scotland being read, a motion was made, "to send to the house of peers, that the earl of "Essex, who was left by the king, general on this "side Trent, might be desired to appoint such a "guard, as he thought competent for the security "of the parliament, constantly to attend while the "houses sat;" which was done accordingly; and continued, till they thought fit to have other guards. All which was done to amuse the people, as if the parliament was in danger: when in Scotland all things were quickly pacified; and ended in creating the marquis Hamilton a duke, and Argyle a marquis.

There was another accident happened a little before, of which the indisposition in Scotland was the effect, the death of the earl of Rothes, a man mentioned before, of the highest authority in the contriving and carrying on the rebellion in Scotland, and now the principal commissioner in Eng-

land, and exceedingly courted by all the party which governed. Whether he found that he had raised a spirit that would not be so easily conjured down again, and yet would not be as entirely governed by him as it had been; or whether he desired from the beginning only to mend his own fortune, or was converted in his judgment that the action he was engaged in was not warrantable, certain it is, that he had not been long in England, before he liked both the kingdom and the court so well, that he was not willing to part with either. He was of a pleasant and jovial humour, without any of those constraints which the formality of that time made that party subject themselves to; and he played his game so dexterously, that he was well assured upon a fair composition that the Scots' army should return home well paid, and that they should be contented with the mischief they had already done, without fomenting the distempers in England. He was to marry a noble lady of a great and ample fortune and wealth, and should likewise be made a gentleman of the king's bed-chamber, and a privy-counsellor; and upon these advantages made his condition in this kingdom as pleasant as he could; and in order thereunto, he resolved to preserve the king's power as high as he could in all his dominions. When any extraordinary accidents attend those private contracts, men naturally are very free in their censures, and so his sudden falling into a sickness, and from a great vigour of body, in the flower of his age, (for he was little more than thirty,) into a weakness, which was not usual, nor could the physicians discover the ground of it, administered much occasions of discourse; and that his countrymen too soon discovered his conversion. He was not able to attend upon his majesty to Scotland; where he was to have acted a great part; but he hoped to have been able to have followed him thither. His weakness increased so fast, that by the time the king was entered that kingdom, the earl died at Richmond, whither he retired for the benefit of the air; and his death put an end to all hopes of good quarter with that nation; and made him submit to all the uneasy and intolerable conditions there, they could impose upon him. Yet he returned from thence with some confidence that he should receive no more trouble from thence, the principal persons there having made him great acknowledgment, and greater professions; (for which he had given them all they could desire, and indeed all and more than he had to give;) and Lesley the general, whom he made earl of Leven, with precedence of all earls for his life, had told him voluntarily, and with an oath, that he would not only never serve against him, but would do him any service he should command, right or wrong.

There was a worse accident than all these, which fell out in the time of the king's stay in Scotland, and about the time of the two houses reconvening; which made a wonderful impression upon the minds of men; and proved of infinite disadvantage to the king's affairs, which were then recovering new life; and that was the rebellion in Ireland: which broke out about the middle of October, in all parts of the kingdom. Their design upon Dublin was miraculously discovered, the night before it was to be executed; and so the surprisal of that castle prevented; and the principal conspirators, who had the charge of it, apprehended.

In the other parts of the kingdom they observed the time appointed, not hearing of the misfortunes of their friends at Dublin. A general insurrection of the Irish spread itself over the whole country, in such an inhuman and barbarous manner, that there were forty or fifty thousand of the English protestants murdered, before they suspected themselves to be in any danger, or could provide for their defence, by drawing together into towns, or strong houses.

From Dublin, the lords justices, and council, despatched their letters by an express (the same man who had made the discovery, one O'Conelly, who had formerly been a servant to sir John Clotworthy) to London, to the earl of Leicester, then lord lieutenant of Ireland. From the parts of the north, and Ulster, an express was sent to the king himself, at Edinburgh; and the king's letters from thence, to the two houses, arrived within less than two days after the messenger from Dublin.

It was upon a Sunday night, that the letters from Dublin came to the earl of Leicester; who immediately caused the council to be summoned, and, as soon as it was met, informed them of the condition of Ireland; that is, so much as those letters contained: which were written, when little more was known than the discovery at Dublin; and what the conspirators had confessed upon their examinations. The house of peers had then adjourned itself to the Wednesday following; but the house of commons were to meet on the next day, Monday morning; and the council resolved, "that they would in a body go to the house of commons, as soon as it sat, and inform them of it;" which they did; notice being first given to the house, "that the lords of the council had some matters of importance to impart to them, and were above in the painted chamber ready to come to them:" whereupon chairs were set in the house for them to repose themselves, and the sergeant sent to conduct them. As soon as they entered the house, the speaker desired them to sit down; and then being covered, Littleton, lord keeper, told the speaker, "that the lord lieutenant of Ireland, having received letters from the lords justices and council there, had communicated them to the council; and since the house of peers was not then sitting, they had thought fit, for the importance of the letters, to impart them to that house;" and so referred the business to the lord lieutenant; who, without any enlargement, only read the letters he had received, and so the lords departed from the house.

There was a deep silence in the house, and a kind of consternation: most men's heads having been intoxicated, from their first meeting in parliament, with imaginations of plots, and treasonable designs, through the three kingdoms. The affair itself seemed to be out of their cognizance; and the communication of it served only to prepare their thoughts, what to do when more should be known; and when they should hear what the king thought fit to be done. And when the king's letters arrived, they were glad the news had come to him, when he had so good council about him to advise him what to do.

The king was not then informed of what had been discovered at Dublin: but the letters out of Ulster (which he sent to the parliament) gave him notice "of the general insurrection in the north; and of the inhuman murders committed there,

"upon a multitude of the protestants; and that sir Phelim O'Neil appeared as the general and commander in chief."

Upon which his majesty writ to the two houses, that he was satisfied that it was no rash insurrection, but a formed rebellion; which must be prosecuted with a sharp war; the conducting and prosecuting whereof he wholly committed to their care and wisdom, and depended upon them for the carrying it on; and that for the present he had caused a strong regiment of fifteen hundred foot, under good officers, to be transported out of Scotland into Ulster, for the relief of those parts; which were upon the matter wholly inhabited by Scots and Irish; there being fewer English [there], than in any part of Ireland.

This fell out to their wish; and thereupon they made a committee of both houses, "for the consideration of the affairs of Ireland, and providing for the supply of men, arms, and money, for the suppressing that rebellion;" the lord lieutenant of Ireland being one of the committee, which sat every morning in the painted chamber; and the lord lieutenant first communicated all the letters he received, to them to be consulted on, and to be thence reported to the two houses; which were hereby possessed of a huge power and dependence; all men applying themselves to them, that is, to the chief leaders, for their preferments in that war: the mischief whereof, though in the beginning little taken notice of, was afterwards felt by the king very sensibly.

These concurrent circumstances much altered and suppressed that good humour and spirit the houses were well disposed to meet with; and the angry men, who were disappointed of the preferments they expected, and had promised themselves, took all occasions, by their emissaries, to insinuate into the minds of the people, "that this rebellion in Ireland was contrived or fomented by the king, or, at least, by the queen, for the advancement of popery; and that the rebels published and declared, that they had the king's authority for all they did;" which calumny, though without the least shadow or colour of truth, made more impression upon the minds of sober and moderate men (who till then had much disliked the passionate proceedings of the parliament) than could be then imagined, or can yet be believed. So great a prejudice, or want of reverence, was universally contracted against the court, especially against the queen, whose power and activity was thought too great.

Shortly after the beginning of the parliament, there had been a committee appointed, "to prepare and draw up a general remonstrance of the state of the kingdom, and the particular grievances it had sustained;" but it scarce ever met, or was ever after mentioned. But now, the houses no sooner met after their recess, than Mr. Strode (one of the fiercest men of the party, and of the party only for his fierceness) moved, "that that committee might be revived, and ordered to meet;" for which, of course, a time and place was appointed: by which men easily discerned, that nothing of their fury was abated, and the less, in that they found their credit every day lessened in the house, by the opposition and contradiction they sustained. And men being thus disquieted; and knowing little; and so doubting much; every day produced a new discovery, of some new trea-

son and plot against the kingdom. One day, "a letter from beyond seas, of great forces prepared to invade England;" then, "some attempt upon the life of Mr. Pym;" and no occasion omitted to speak of the evil council about the king; when scarce a counsellor durst come near him, or be suspected to hear from him; then an order must be framed to the marquis of Hertford, (governor to the prince,) to require him to take all care of his highness' person, and a motion that the king might be desired to make no privy-counsellor but such as the two houses might approve of, and many other such extravagancies, which, though they seemed then but the murmurings of inconsiderable persons, were artificially vented to try the pulse of the house, and whether they were sufficiently inflamed with the new discoveries.

After some days, a new bill was presented to the house of commons, "for the taking away the bishops' votes in parliament; and for disabling them to exercise any temporal office in the kingdom:" against which was objected, "that it was contrary to the course and order of parliament, that any bill that had been rejected should be again preferred the same session; and therefore that it ought not to be so much as read:" to which nothing was replied but noise; and "that this bill varied in some clauses from the former; and that the good of the kingdom absolutely depended upon it:" and so, by majority of voices, it was ordered to be read; and afterwards, without any equal opposition, passed the house, and was transmitted to the lords: the greatest argument being, "that their intermeddling with temporal affairs was inconsistent with, and destructive to, the exercise of their spiritual function." Whilst their reformation, both in Scotland and this kingdom, was driven on by no men so much as those of the clergy, who were their instruments. As, without doubt, the archbishop of Canterbury had never so great an influence upon the counsels at court, as Dr. Burgess and Mr. Marshall had then upon the houses; neither did all the bishops of Scotland together so much meddle in temporal affairs, as Mr. Henderson had done.

There being at this time the bishoprics of Worcester, Lincoln, Exeter, Chichester, and Bristol, void by death, or translation; the king, during the time of his being in Scotland, collated to those sees, Dr. Prideaux, the regius professor of divinity in Oxford; Dr. Winniff, dean of St. Paul's; Dr. Brownerigg, master of Catherine-hall in Cambridge; Dr. Henry King, dean of Litchfield; and Dr. Westfield, of Great St. Bartholomew's, London; all of great eminency in the church; frequent preachers; and not a man, to whom the faults of the then governing clergy were imputed, or against whom the least objection could be made.

As soon as the house of commons heard of this designation of his majesty's, (having then newly the second time sent up to the house of peers their bill to remove bishops from thence,) they were much troubled, that, at a time when they resolved to take away the old, the king should presume to make new bishops, and create so many voices to oppose the other; and therefore they moved very earnestly, "that the lords might be moved to join with them, in sending to the king, to make no new bishops till the controversy should be ended about the government of the church:" which appeared so unreasonable, that the wisest of them

who wished it, apprehended no possibility, that the lords would join with them; or, if they did, that the king would be prevailed with. However, being glad to find their companions had so much mettle, after a long debate, the major part carried it, "that a committee should be appointed to draw up reasons to give the lords, to concur with them in that desire to the king:" but, after that, moved that stone no further.

In all debates of this nature, where the law, reason, and common sense, were in a diameter opposite to what they proposed, they suffered those who differed from them in opinion, and purposes, to say what they thought fit in opposition; and then, without vouchsafing to endeavour their satisfaction, called importunately for the question; well knowing that they had a plurality of voices to concur with them, in whatsoever they desired. I remember, in this last business, when it was voted that a committee should be named to draw up reasons, the committee being to be named, many of those who had during the debate positively argued against the thing, were called upon to be of that committee; and, amongst these, the lord Falkland, and Mr. Hyde, who stood up, and "desired to be excused from that service, where they could be of no use; having given so many reasons against it, that they could not apprehend any could be given for it; therefore they thought the work would be better done, if those, who had satisfied themselves with the reasonableness of what they wished, would undertake the converting and disposing of other men." There was a gentleman who sat by, (Mr. Bond of Dorchester; very severe, and resolved, against the church and the court,) [who,] with much passion and trouble of mind, said to them, "For God's sake be of the committee; you know none of our side can give reasons;" which made those that overheard him smile, though he spake it suddenly, and upon observation that their leaders were not then in the house. Otherwise, it cannot be denied, those who conducted them, and were the contrivers of the mischief, were men of great parts, and unspeakable industry; and their silence in some debates proceeded partly from pride, that it might appear their reputation and interest had an influence upon the sense of the house, against any rhetoric or logic: but principally from the policy they were obliged to use; for though they could have given a pregnant reason for the most extravagant overture they ever made, and evinced it, that it was the proper way to their end; but it being not yet time to discover their purposes, (how apparent soever they were to discerning men,) they were necessarily to give no reasons at all; or such as were not in truth the true ones.

This stratagem failing, of stopping the creation of the new bishops, they endeavour by all means to hasten the house of peers to despatch the work before them, before they should be qualified (their elections, confirmations, and consecrations, and other ceremonies, spending much time) to increase the number of the opposers; and for the better doing thereof, with great confidence, they demand of the lords, "that no recusant lord, or bishop, might have a vote in the passing that act: the last being parties; and the other not supposed competent judges on the behalf of the kingdom." But, when they found that logic could not prevail, (the demand being indeed so scandalous, that the

house of peers, if they had not been fatally sotted, must have resented it as a high presumption, and insolent breach of privilege,) with more formality and colour, though as unreasonably, they pressed, "that those thirteen bishops, whom they had before impeached, for making the late canons; and upon whom their lordships themselves had passed notable votes," (such in truth as were fitter for accusers than judges, unparliamentary and unprecedented,) "might be sequestered from the house, till they should be brought to judgment." And for this, without any shame, they found lawyers in their house, who, prostituting the dignity and learning of their profession, to the cheap and vile affectation of popular applause, were not ashamed to aver custom and law for their senseless proposition. But the house of peers was not yet deluded enough, or terrified, (though too many amongst them paid an implicit devotion to the house of commons,) to comply in this unreasonable demand.

And here I cannot but with grief and wonder remember the virulency and animosity expressed upon all occasions, from many of good knowledge in the excellent and wise profession of the common law, towards the church and churchmen; taking all opportunities, uncharitably, to improve mistakes into crimes; and, unreasonably, to transfer and impute the follies and faults of particular men (swollen with ambition or corrupted with avarice) to the malignity of their order and function; and so whet and sharpen the edge of the law, to wound the church in its jurisdiction; and at last to cut it up by the roots, and demolish its foundation. It cannot be denied, that the peevish and petulant spirits of some clergymen have taken great pains to irreconcile that profession to them; and others as unskilfully (finding that in former times, when the religion of the state was a vital part of its policy, many churchmen were employed eminently in the civil government of the kingdom) imputed their wanting those ornaments their predecessors wore, to the power and prevalency of the lawyers; some principal men whereof, in all times, they could not but remember as avowed enemies of the church: and so believed the straitening and confining their profession must naturally extend and enlarge their own jurisdiction. Thence proceeded their bold and unwarrantable opposing and protesting against prohibitions, and other proceedings at law, on the behalf of ecclesiastical courts; and the procuring some orders and privileges from the king, on the behalf of that faculty; even with an exclusion of the other: as the archbishop of Canterbury prevailed with the king to direct, "that half the masters of the chancery should be always civil lawyers;" and to declare, "that no others, of what condition soever, should serve him as masters of request." Which was a great mistake: for, besides the stopping prohibitions was an envious breach upon the justice of the kingdom; which, at some time or other, will still be too hard for the strongest opposers and oppressors of it: I could never yet know, why the doctors of the civil laws were more of kin to the bishops, or the church, than the common lawyers were. To say that their places were in their disposal, as chancellors, commissaries, and the like; and, therefore, that their persons were more like to be at their disposal too, at least, to pay them greater reverence, concludes nothing: for they



had all opportunity enough, and I think equal to oblige and create a dependence from the other profession; and I am persuaded, the stewardships to bishops, and of the lands of the church, which were to be managed by the rules of the common law, were not much inferior in profit to all the chancellorships in England. And for their affection and respect to their patrons, I believe, experience hath now manifested, that though many of the common lawyers have much indiscretion, injustice, and malice to repent of towards the church, the professors of the civil law have not been less active, to their skill and power, in the unnatural destruction of their mother; and then, where their policy may consist with justice, it will be no ill measure in making friendship, to look into the power of doing hurt and doing good, as well as into the faculty of judging; and it was apparent, that the civil law in this kingdom could neither help or hurt the church in any exigent, it being neither of reputation enough to advance it, or power to oppress it; whereas the professors of the other had always, by their interests, experience, abilities, and reputation, so great an influence upon the civil state, upon court and country, that they were notable friends or enemies; and then the dependence of the church was entirely upon that law, all their inheritance and estates (except their minute tithes) being only determinable by those rules; and by which they have seldom received eminent injustice. And truly, I have never yet spoken with one clergyman, who hath had the experience of both litigations, that hath not ingenuously confessed, "he had rather, in the respect of his trouble, charge, and satisfaction to his understanding, have three suits depending in Westminster-hall, than one in the arches, or any ecclesiastical court."

The particulars above mentioned were, I confess, to vulgar minds, great provocations and temptations to revenge; and, therefore, I do not at all wonder, that, in the great herd of the common lawyers, many pragmatistical spirits, whose thoughts and observations have been contracted to the narrow limits of the few books of that profession, or within the narrower circle of the bar-oratory, should side with the others, in the womanish art of inveighing against persons, when they should be reforming things: and that some, by degrees, having found the benefit of being of that opinion, (for we all remember, when papist and puritan lawyers got more money than their neighbours, for the opinions they had; not which they delivered,) grew, at last, to have fits of conscience in earnest; and to believe, that a parity in the church was necessary to religion, and not like to produce a parity in the state; the suspicion of which would quickly have wrought upon their divinity.

But, that learned and unbiassed (I mean unprovoked) men, in that science, who knew the frame and constitution of the kingdom, and that the bishops were no less the representative body of the clergy, than the house of commons was of the people; and, consequently, that the depriving them of voice in parliament, was a violence, and removing landmarks, and not a shaking (which might settle again) but dissolving foundations; which must leave the building unsafe for habitation: [that such men,] who knew the ecclesiastical and civil state was so wrought and interwoven to-

gether, and, in truth, so incorporated in each other, that like Hippocrates' twins, they cannot but laugh and cry together; and that the professors of the law were never at so great a height, as even in this time that they so unjustly envied the greatness of the church: and, lastly, [that they,] who might well know, that the great and unwieldy body of the clergy, consisting of such different tempers, humours, inclinations, and abilities, and which inevitably will have so strong an influence upon the natures and affections of the people, could never be regulated and governed by any magistrates, but of themselves; nor by any rules, but such power which the bishops exercised; whom (besides all arguments of piety, and submission to antiquity) experience of that blessed time since the reformation, not to be paralleled in any nation under heaven, declared to be the most happy managers of that power, whatsoever rankness and excrescence had proceeded from some branches: I say, that these knowing and discerning men (for such I must confess there have been) should believe it possible for them to flourish, and that the law itself would have the same respect and veneration from the people, when the well disposed fabric of the church should be rent asunder, (which, without their activity and skill in confusion, could never have been compassed,) hath been to me an instance of the Divine anger against the pride of both, in suffering them to be the fatal engines to break one another: which could very hardly have been oppressed by any other strength or power than their own.

And I cannot but say, to the professors of that great and admirable mystery, the law, (upon which no man looks with more affection, reverence, and submission,) who seem now, by the fury and iniquity of the time, to stand upon the ground they have won, and to be masters of the field; and, it may be, wear some of the trophies and spoils they have ravished from the oppressed; that they have yet but sharpened weapons for others to wound themselves; and that their own eloquence shall be applied to their own destruction. And, therefore, if they have either piety to repent and redeem the ill that they have wrought, or policy to preserve their own condition from contempt, and themselves from being slaves to the most abject of the people, they will wind up the church and the law into one bottom; and, by a firm combination and steady pursuit, endeavour to fix both to the same pinnacle, from whence they have been so violently ravished.

By this time the king was as weary of Scotland, as he had been impatient to go thither; finding all things proposed to him, as to a vanquished person, without consideration of his honour, or interest; and having not one counsellor about him, but the duke of Lenox, (who from the beginning carried himself by the most exact rules of honour, gratitude, and fidelity to him,) and very few followers, who had either affection to his person, or respect of his honour.

That which should have been an act of oblivion, was made a defence and justification of whatsoever they had done: their first tumults, and erecting their tables in opposition [to], and at last suppressing, both courts of justice and session; and the acts and orders of those tables, declared to be "the effects of their duty to his majesty; and according to the law of the land:" and so all those, who according to their allegiance had op-



posed and resisted them on the behalf of his majesty, and [were] qualified by his majesty's commissions, [were] adjudged criminal; and the only persons excepted from pardon, and exempted from the benefit of that oblivion.

The seditious acts of the assembly, which had expelled all bishops, and the canonical clergy, from being members of that assembly; and declared themselves to have a power "to inflict the censures of the church upon his majesty himself;" were declared "to be lawful, and according to the constitution of the kingdom; and the government of the church by archbishops and bishops, declared to be against the word of God, and an enemy to the propagation of the true reformed protestant religion; and therefore to be utterly abolished; and their lands given to the king, his heirs, and successors."

In consideration of the king's necessary absence from that his native kingdom, it was thought fit, "that the full and absolute government thereof should be committed to the lords of the secret council; who were likewise made conservators of the peace of the two kingdoms, during the intervals of parliaments;" and those lords and conservators "were then, and still, to be named by parliament, which was once in three years to assemble upon a day certain, without any summons from the king, if he neglected to publish such summons; and, upon the same reason, all great officers, as chancellor, treasurer, secretary, and the rest, nominated by parliament; and in the interval by the lords of the secret council;" without so much as being concerned in his majesty's approbation.

All which acts, and whatsoever else they were pleased to present to him, concerning church or state, the king confirmed; and thereby made the lord Lowden, who had been the principal manager of the rebellion, chancellor of Scotland; and created him likewise an earl; and conferred the other great offices, as he was directed: then he made the earl of Argyll (for he was still trusted with conferring of honours) marquis; their great general, Lesley, earl of Leven; and their lieutenant-general, earl of Calendar; and conferred other honours, according to the capacity and ability they had had in doing him mischief: and, lastly, (leaving all his own party to live, for he had procured a pardon for them from the parliament, upon condition "they came not near the king's presence; nor received any benefit from him, without their approbation,") he gave all the lands of the church, which had been devolved to him by their ruin, and whatsoever he had else to give, in that kingdom, to those who had discovered it not to be in good hands before: so that he seemed to have made that progress into Scotland, only that he might make a perfect deed of gift of that kingdom; which he could never have done, so absolutely, without going thither. And so, having nothing more to do there, he began his journey towards England about the middle of November.

It is not to be doubted, in consideration of those extravagant concessions, they made as extravagant promises to the king; that, by their loyal and dutiful comportment, his majesty should find no diminution of his power; that he should have the entire obedience of that nation, to preserve his full rights and regalities in England; and to reduce Ireland: the earl of Leven telling him, (as mar-

quis Hamilton assured me, in his hearing,) "that he would not only never more serve against him, but that whenever his majesty would require his service, he should have it, without ever asking what the cause was;" and many of them whispering in his ear, and assuring him, "that as soon as the troubles of the late storm could be perfectly calmed, they would reverse and repeal whatsoever was now unreasonably extorted from him." And his majesty having never received any profit from Scotland, or other benefit than the reputation of a kingdom in his title, cared the less for what he parted with there: and, it may be, being resolved they should be no more charge to him in his court, (for sure he was then perfectly irreconciled to the whole nation,) he believed he should save more in this kingdom, than he had given in that; and he made no scruple, but that they were so full fed now, that they would not stir from home again, till the temper and affection of his people here should be better disposed for their reception.

But his majesty never considered, or not soon enough, that they could not reasonably hope to keep what they had so ill got, but by the same arts by which they were such gainers; and there cannot be a surer evidence of the continuance of an enemy, than the having received injuries from him, of a nature that do not use to be forgiven. Neither did he sufficiently weigh the unspeakable encouragement, and, in some particulars, the reasonable pretence the factious party here would have, from the prosperous wickedness of those there. And, it is certain, their number from thence increased wonderfully; the enemies of the church presuming their work was more than half done, when the king himself had declared, (for his consent to that act they would easily make appear to be such,) "that the government by archbishops, and bishops, was against the word of God, and the propagation of religion." Many concluding the king would at last yield to any thing, put themselves in company of the boldest and most positive askers; and some, who in their hearts abhorred what the Scots had done, yet disdaining to be overwitted by them; and that they should get more for themselves, and receive a greater argument of the king's trust, than we of this nation; out of pure malice to them, resolved to do the same things with them; and so joined and concurred in any exorbitances. All which the king too late discovered, by the entertainment he received upon his return.

About the time the news came of the king's being to begin his journey from Scotland upon a day appointed; and that he had settled all things in that kingdom to the general satisfaction; the committee for preparing the remonstrance offered their report to the house; which caused the draught they offered to be read. It contained a very bitter representation of all the illegal things which had been done, from the first hour of the king's coming to the crown, to that minute; with all those sharp reflections which could be made, upon the king himself, the queen, and council; and published all the unreasonable jealousies of the present government, of the introducing popery; and all other particulars, which might disturb the minds of the people; which were enough discomposed.

The house seemed generally to dislike it; many

saying, "that it was very unnecessary, and unreasonable; unnecessary, all those grievances being already fully redressed; and the liberty and property of the subject being as well secured for the future, as could possibly be done: and then that it was very unseasonable, after the king had gratified them, with granting every thing which they had desired of him; and after so long absence, in the settling the disorders in another kingdom, which he had happily composed; to be now welcomed home with such a volume of reproaches, for what others had done amiss, and which he himself had reformed." Notwithstanding all which, all the other party appeared passionately concerned that it might not be rejected; and enlarged themselves with as high expressions against the government, as at first; with many insinuations, "that we were in danger of being deprived of all the good acts which we had gained, if great care and vigilance was not used, to disappoint some counsels which were still entertained;" making doubtful glances and reflections upon the rebellion in Ireland, (with which they perceived many good men were easily amused,) and in the end prevailed, "that a day should be appointed, when the house should be resolved into a grand committee, and the remonstrance to be then retaken into consideration;" and in the mean time they employed all their credit and interest with particular men, to persuade them, "that the passing that remonstrance was most necessary, for the preservation and maintenance of all those good laws which they had already made;" giving several reasons to several persons, according to their natures and inclinations; assuring many, "that they intended it only for the mortification of the court, and manifestation that that malignant party, which appeared to be growing up in the house, could not prevail;" and then "that it should remain still in the clerk's hands, and never be published."

And by these, and the like arts, they promised themselves, that they should easily carry it: so that the day it was to be resumed, they entertained the house all the morning with other debates, and towards noon called for the remonstrance; and it being urged by some, "that it was too late to enter upon it, with much difficulty they consented, that it should be entered upon the next morning at nine of the clock; and every clause should be debated, the speaker in the chair;" for they would not have the house resolved into a committee, which they believed would spend too much time. Oliver Cromwell (who, at that time, was little taken notice of) asked the lord Falkland, "Why he would have it put off, for that day would quickly have determined it?" He answered, "There would not have been time enough, for sure it would take some debate." The other replied, "A very sorry one:" they supposing, by the computation they had made, that very few would oppose it.

But he quickly found he was mistaken: for the next morning, the debate being entered upon about nine of the clock in the morning, it continued all that day; and candles being called for when it grew dark, (neither side being very desirous to adjourn it till the next day; though it was evident, very many withdrew themselves out of pure faintness and disability to attend the conclusion,) the debate continued, till after it was

twelve of the clock, with much passion; and the house being then divided, upon the passing or not passing it, it was carried for the affirmative, by nine voices, and no more: and as soon as it was declared, Mr. Hambden moved, "that there might be an order entered for the present printing it;" which produced a sharper debate than the former. It appeared then, that they did not intend to send it up to the house of peers for their concurrence; but that it was upon the matter an appeal to the people; and to infuse jealousies into their minds. It had never been the intention to publish any debates, or determinations of the house, which were not regularly first transmitted to the house of peers; nor was it thought, in truth, that the house had authority to give warrant for the printing of any thing; all which was offered by Mr. Hyde, with some warmth, as soon as the motion was made for the printing it; and he said, "he did believe the printing it in that manner was not lawful; and he feared it would produce mischievous effects; and therefore desired the leave of the house, that if the question should be put, and carried in the affirmative, that he might have liberty to enter his protestation;" which he no sooner said, than Jeffery Palmer (a man of great reputation, and much esteemed in the house) stood up, and made the same motion for himself, "that he might likewise protest." When immediately together many afterwards, without distinction, and in some disorder, cried out, "They did protest:" so that there was after scarce any quiet and regular debate. But the house by degrees being quieted, they all consented, about two of the clock in the morning, to adjourn till two of the clock the next afternoon. And as they went out of the house, the lord Falkland asked Oliver Cromwell, "whether there had been a debate?" to which he answered, "that he would take his word another time;" and whispered him in the ear, with some asseveration, "that if the remonstrance had been rejected, he would have sold all he had the next morning, and never have seen England more; and he knew there were many other honest men of the same resolution." So near was the poor kingdom at that time to its deliverance.

And however they got this victory, they did not in a long time recover the spirits they lost, and the agony they had sustained, whilst it was in suspense; and they discerned well enough, that the house had not, at that time, half its members; though they had provided, that not a man of their party was absent; and that they had even then carried it by the hour of the night, which drove away a greater number of old and infirm opposers, than would have made those of the negative superior in number: so that they had little hope, in a fuller house, to prevail in any of their unjust designs, except they found some other expedient, by hopes or fears, to work upon the affections of the several members.

In order to which, they spent most part of the next day in their private consultations, how to chastise some of those who most offended them the day before; and resolved in the first place, not to suffer that precedent to be introduced into the house, "that men should protest against the sense of the house:" which, it is true, had not been used in the house of commons. And this subject was the more grateful to them, because they should

hereby take revenge upon Mr. Hyde, whom they perfectly hated above any man; and to whose activity they imputed the trouble they had sustained the day before; and he was the first who made the protestation, that is, asked leave to do it; which produced the other subsequent clamour, that was indeed in some disorder. But here they differed amongst themselves; all the leading violent men, who bore the greatest sway, were most glad of the occasion, as it gave them opportunity to be rid of Mr. Hyde, which they passionately desired; but sir John Hotham, Cholmondeley, and Stapleton (who never severed, and had a numerous train which attended their motions) remembered the service Mr. Hyde had done against the court of York, (the overthrowing whereof was their peculiar glory,) and would not consent that they should question him; but were ready to concur with them in the prosecution of any other of the protesters; whereof there was number enough. This made so great difference amongst them, that for the present they agreed no further, than "that they would that afternoon only provide, that the next morning they would fall upon the matter;" and that then they might consult together at night, what person they would sacrifice.

And so about three of the clock, when the house met, Mr. Pym "lamented the disorder of the night before, which, he said, might probably have engaged the house in blood, and proceeded principally [from] the offering a protestation, which had been never before offered in that house, and was a transgression that ought to be severely examined, that mischief hereafter might not result from that precedent: and therefore proposed, that the house would the next morning enter upon that examination; and in the mean time, men might recollect themselves, and they, who used to take notes, might peruse their memorials; that the persons who were the chief causers of the disorder might be named, and defend themselves the best they could;" and with this resolution the house arose; the vexation of the night before being very visible in the looks and countenance of many. And that night's deliberation, nor all the artifice or importunity that could be used, could not remove the obstinate northern men from their resolution: and they declared positively, "that, if they prosecuted Mr. Hyde, they, and all their friends, would engage in his defence:" but the others would not incur the danger or inconvenience of such a schism; and so they unanimously agreed upon a third person, whom they would accuse.

The next morning they first enlarged upon the offence itself; "of the mischief it had like to have produced, and of the mischief it would unavoidably produce, if the custom or liberty of it was ever introduced; that it was the first time it had ever been offered in that house; and that care ought to be taken, that it should be the last; by the severe judgment of the house, upon those persons who had begun the presumption."

Mr. Hyde, who had then known nothing of the private consultation, and had many reasons to believe himself to be designed, stood up (notwithstanding some signs made to him at a distance by his northern friends, which he understood not) and said, "It concerned him to justify what he had done, being the first man who mentioned the protestation:" upon which there was a general

noise and clamour "to withdraw;" (and as great "to speak:" upon which he proceeded, and said, "He was not old enough to know the ancient customs of that house; but, that he well knew, it was a very ancient custom in the house of peers; and leave was never denied to any man, who asked that he might protest, and enter his dissent, against any judgment of the house, to which he would not be understood to have given his consent: that he did not understand any reason, why a commoner should not have the same liberty, if he desired not to be involved in any vote, which he thought might possibly be inconvenient to him. That he had not offered his protestation against the remonstrance, though he had opposed [it] all he could, because it remained still within those walls; that he had only desired leave to protest against the printing it; which, he thought, was not in many respects lawful for them to do; and might prove very pernicious to the public peace.")

They were very much offended with all he said, and his confidence in speaking; and Mr. Strode could not contain himself from saying, "that that gentleman had confessed that he had first proposed the protestation; and, therefore, desired he might withdraw;" which many others likewise called for: till sir John Hotham appeared with some warmth against it; and young Hotham, his son, accused Jeffery Palmer "of giving the cause of disorder, by saying, *I do protest*, without asking the leave of the house, and encouraging [others] to cry out every man, *I do protest*:" whereupon they all fell into that noise and confusion; and so, without much more discourse, Mr. Palmer was called upon "to explain;" which as he was about to do, Mr. Hyde (who loved him much, and had rather have suffered himself, than that he should) spake to the orders of the house; and said, "that it was against the orders and practice of the house, that any man should be called upon to explain, for any thing he said in the house two days before; when it could not be presumed, that his own memory could recollect all the words he had used; or that any body else could charge him with them; and appealed to the house, whether there was any precedent of the like." And there is no doubt, there never had been; and it was very irregular. But they were too positively resolved not to be diverted; and, after two hours' debate, himself desiring, "that, to save the house further trouble, he might answer, and withdraw;" which he did. When it drew towards night, after many hours' debate, it was ordered, "that he should be committed to the Tower;" the angry men pressing, with all their power, "that he might be expelled the house;" having borne him a long grudge, for the civility he shewed in the prosecution of the earl of Strafford; that is, that he had not used the same reproachful language which the others had done: but they were at last glad to compound for his bare commitment to the Tower: from whence he was within few days enlarged, and returned again to the house. And in the close of that day, and the rising of the house, without much opposition, they obtained an order for the printing their remonstrance.

That remonstrance, after many clauses and unbecoming expressions were cast out, contained, "that there had been, from the beginning of his majesty's reign, a malignant and pernicious de-

“sign, of subverting the fundamental laws and principles of government, upon which the religion and justice of the kingdom was established: that the actors and promoters thereof were the jesuited papists; the bishops and corrupt part of the clergy; and such counsellors and courtiers, as had engaged themselves to further the interests of some foreign princes, or states, to the prejudice of the king and state at home; all which had endeavoured to raise differences and discontents betwixt the king and his people, upon questions of prerogative and liberty; to suppress the purity of religion, and such men as were best affected to it, as the greatest impediment to that change which they thought to introduce; to cherish and maintain those opinions in religion, which brought ours nearest and most agreeable to the papists; and to continue, multiply, and enlarge the differences between the protestants themselves, distinguishing between protestants and puritans, by introducing and countenancing such opinions and ceremonies, as were fittest for accommodation with popery; that so, of papists, Arminians, and libertines, they might compose a body fit to act such counsels and resolutions, as were most conducive to their own ends: and, lastly, to disaffect the king to parliaments, by slanders and false imputations, and so putting him upon other ways of supply, as of more advantage than the ordinary course of subsidies, which brought infinite loss to king and people, and caused the distractions which ensued.”

They remembered “the breach of the parliament at Oxford, in the first year of his majesty’s reign; and reproached his majesty with the fruitless voyage to Cadiz, at his first coming to the crown; the loss of Rochelle, by first suppressing their fleet with his own royal ships, by which the protestant religion in France infinitely suffered; the making a war with France precipitately, and a peace with Spain, without their consent, and so deserting the cause of the palatinate; and with a design to bring in German horse, to force the kingdom, by rigour, to submit to such arbitrary contributions, as should be required of them.”

They remembered him “of charging the kingdom by billeting of soldiers, and by raising coat and conduct money for those soldiers, in the second and third years of his reign; of his dissolving the parliament in his second year, after their declaration of an intent to grant five subsidies; and the exacting those five subsidies afterwards by a commission of loan; upon the refusal whereof, divers gentlemen and others were imprisoned, whereof some died, by the diseases they contracted in that imprisonment; of great sums raised by privy-seals; and of an attempt to set the excise on foot.”

They remembered “the dissolution of the parliament in the fourth year of his reign, and the untrue and scandalous declarations thereupon; the imprisoning divers members of that parliament after the dissolution, and detaining them close prisoners for words spoken in parliament; sentencing and fining them for those words; one of which died in prison, for want of ordinary refreshment, whose blood (they said) still cried for vengeance.”

They reproached his majesty “with injustice,

“oppression, and violence, which, after the breach of that parliament, broke in upon them, without any restraint or moderation; with the great sums of money he had exacted throughout the kingdom for default of knighthood, in the fourth year of his reign; with the receiving tonnage and poundage from the death of king James; and raising the book of rates, and laying new impositions upon trade; with the enlargement of forests, and compositions thereupon; the engrossing gunpowder, and suffering none to buy it without license; with all the most odious monopolies of soap, wine, salt, leather, sea-coal, and the rest,” (which had been granted from his majesty’s first coming to the crown, and some of them before,) “with the new tax of ship-money, and the ill-guarding the seas, and leaving the merchant naked to the violence of the Turkish pirates, notwithstanding that extraordinary and extravagant supply; with the vexations upon pretence of nuisances in building, and thereupon raising great sums of money for licenses to build; and of depopulation, that men might pay fines to continue the same misdemeanour; with the seizing the merchants’ money in the mint; and an abominable project of making brass money.”

They repeated “the extravagant censures of the star-chamber, whereby the subject had been oppressed by fines, imprisonments, stigmatizings, mutilations, whippings, pillories, gags, confinements, banishments; the severe and illegal proceedings of the council-table, and other new-erected judicatories; and the suspensions, excommunications, and deprivations of learned and pious ministers, by the high commission court; which grew to that excess of sharpness and severity, that they said it was not much less than the Romish inquisition.”

They reproached the king “with the liturgy and canons sent into Scotland, as an attempt upon the protestant religion; with the forcing that nation to raise an army in their own defence, and raising an army against them; with the pacification, and breach of that pacification; that he called a parliament after, in hope to corrupt it, and make it countenance the war with Scotland; which when he found it would not do, he dissolved it, and then committed members to prison; and compelled men to lend money against their wills; and imprisoned such as refused.”

They mentioned “the synod held by the bishops after the end of the parliament, and the canons and oath made by them; the raising the armies, here and in Ireland, against the Scots; and the liberal collection and contribution from the clergy, and the catholics, towards that war; all the favours that had been done to the papists; the reception and entertainment of signior Con, and the comte Rozetti, by the queen, from Rome; and some ministers sent by her majesty thither.”

In a word, they left not any error or misfortune in government, or any passionate exercise of power, unmentioned and unpressed; with the sharpest and most pathetic expressions to affect the people, that the general observation of the wisest, or the particular animosity of the most disoblged, or ill-affected person, could suggest, to the disadvantage of the king, from the death of his father,

to the unhappy beginning of the present parliament.

Then they magnified their own services: "that having found the kingdom groaning under these difficulties, which seemed to be insuperable, they had, by the Divine Providence, overcome them all; that they [had] abolished ship-money, and all monopolies; and (which was the root of all those evils) had taken away that arbitrary power of taxing the subject, which was pretended to be in the king: that the living grievances, the evil counsellors, were so quelled, by the justice done upon the earl of Strafford; the flight of the lord Finch, and secretary Windebank; the accusation and imprisonment of the archbishop of Canterbury, and other delinquents; that it was not like to be only an ease to the present times, but a preservation to the future."

[They] reckoned "all the good laws, and the benefit the people received by those laws; spake of many good designs they had for the good of the kingdom;" but then complained "of oppositions, and obstructions, and difficulties, with which they were encountered, and which still lay in their way, with some strength, and much obstinacy; that there was a malignant party took heart again, that preferred some of their own agents and factors to degrees of honour, and to places of trust and employment. That they had endeavoured to work in his majesty ill impressions and opinions of their proceedings; as if they had done altogether their own work, and not his; and had obtained many things from him prejudicial to the crown, in respect of prerogative and profit. To wipe out which slander, they said, all they had done was for his majesty, his greatness, honour, and support: that, when they gave five and twenty thousand pounds a month, for the relief of the northern counties, in the support of the Scottish army, it was given to the king, for that he was bound to protect his subjects; and that, when they undertook the charge of the army, which cost above fifty thousand pounds a month, it was given to the king, for that it was his majesty's army, and the commanders and soldiers under contract with him; and that, when they undertook to pay their brethren of Scotland three hundred thousand pounds, it was to repair the damages and losses they had sustained by his majesty and his ministers; and that these particulars amounted to above eleven hundred thousand pounds."

Then they negligently and perfunctorily passed over his majesty's graces and favours, "as being little more than in justice he was obliged to grant, and of inconsiderable loss and damage to himself; and promised the good people shortly ease in the matter of protections, (by which the debts from parliament-men, and their followers, and dependents, were not recoverable,) and speedily to pass a bill to that purpose."

Then they inveighed against the malignant party, that had sought "to cause jealousies between them and their brethren of Scotland; and that had such a party of bishops and popish lords in the house of peers, as hindered the proceedings of divers good bills, passed in the commons' house, concerning sundry great abuses and corruptions both in church and state," (when, at that time, the house of peers had only refused to concur with them in two bills,

that of the protestation; and, the taking away the votes of bishops out of the house of peers,) "that had attempted to disaffect and discontent his majesty's late army, and to bring it up against the parliament, and city of London; that had raised the rebellion in Ireland; and, if not by their wisdom prevented, had brought the like misery and confusion in this kingdom."

Then they declared, "that they meant to have a general synod of the most grave, pious, learned, and judicious divines of this island;" (when at that time there was not one orthodox divine of England in reputation with them;) "assisted by some from foreign parts, professing the same religion, who should consider of all things necessary for the peace and good government of the church; and present the result of their consultations to the parliament, to be there allowed and confirmed: that they would provide a competent maintenance for conscientious and preaching ministers throughout the kingdom: that they intended to reform and purge the fountains of learning, the two universities; that the streams flowing from thence might be clear and pure, and an honour and comfort to the whole land: that his majesty should be petitioned by both houses, to employ such counsellors, ambassadors, and other ministers, in managing his business at home and abroad, as the parliament might have cause to confide in; without which, they could not give his majesty such supplies for his own support, or such assistance for the protestant party beyond the seas, as was desired."

Withal they declared, "that the commons might have cause, often, justly to take exceptions at some men for being counsellors, and yet not charge those men with crimes; for that there are grounds of diffidence, which lie not in proof; and others, which though they may be proved, yet are not legally criminal; as to be a known favourer of papists; or to have been very forward in defending or countenancing some great offenders, questioned in parliament; or to speak contemptuously of either house of parliament, or parliamentary proceedings; or such as are suspected to get counsellors' places, or any other of trust concerning public employment, for money: that all good courses may be taken, to unite the two kingdoms of England and Scotland; to be mutually aiding and assisting one another, for the common good of the island, and the honour of both:" with some other particulars of this nature.

I know not how those men have already answered it to their own consciences; or how they will answer it to Him who can discern their consciences; who, having assumed their country's trust, and, it may be, with great earnestness laboured to procure that trust, by their supine laziness, negligence, and absence, were the first inlets to these inundations; and so contributed to those licenses which have overwhelmed us. For, by this means, a handful of men, much inferior in the beginning, in number and interest, came to give laws to the major part; and to shew that three diligent persons are a greater number in arithmetic, as well as a more significant number in logic, than ten unconcerned, they, by plurality of voices, in the end, converted or reduced the whole body to their opinions. It is true, men of

activity and faction, in any design, have many advantages, that a composed and settled council, though industrious enough, usually have not; and some, that gallant men cannot give themselves leave to entertain: for, besides their through considering and forming their counsels before they begin to execute them, they contract a habit of ill nature and uningenuity necessary to their affairs, and the temper of those upon whom they are to work, that liberal-minded men would not persuade themselves to entertain, even for the prevention of all the mischief the others intend. And whosoever observed the ill arts, [by which] these men used to prevail upon the people in general; their absurd, ridiculous lying, to win the affections, and corrupt the understandings, of the weak; and the bold scandals, to confirm the wilful; the boundless promises they presented to the ambitious; and their gross, abject flatteries, and applications, to the vulgar-spirited; would hardly give himself leave to use those weapons, for the preservation of the three kingdoms.

The king besides had at that time a greater disadvantage (besides the concurrence of ill and extraordinary accidents) than himself, or any of his progenitors, had ever had before; having no servant of the house of commons, of interest, ability, and reputation, and of faithfulness and affection to his service: sir Thomas Jermyn, who was very honest to him, and of good abilities, through his indisposition of health, and trouble of mind for his son's misfortune, having left the house, and the court, and being retired into the country; and sir Harry Vane (who was the other only privy-counsellor) having committed those faults to the king, he knew could not be forgiven; and those faults to the country, could not be forgotten; gave himself entirely to the disposition of his new masters: and Mr. Saint-John, who at the beginning was made his solicitor general, [and] thereby had obliged himself, by a particular oath, "to defend his majesty's rights, and in no case to be of counsel, or give advice, to the prejudice of the king, and the crown;" was the chief instrument to devise and contrive all the propositions and acts of undutifulness towards him. So that, whilst these men, and their consorts, with the greatest deliberation, consulted, and disposed themselves to compass confusion; they, who out of the most abstracted sense of loyalty to the king, and duty to their country, severed from any relations to the king, or hopes from the court, preserved their own innocence, and endeavoured to uphold the good old frame of government, received neither countenance nor conduct from those who were naturally to have taken care of that province. And sure the raging and fanatic distempers of the house of commons (to which all other distempers are to be imputed) must most properly be attributed to the want of good ministers of the crown in that assembly, who being unawed by any guilt of their own, could have watched other men's; and informed, encouraged, and governed those, who stood well inclined to the public peace.

To which purpose, if that stratagem (though none of the best) of winning men by places, had been practised, as soon as the resolution was taken at York to call a parliament, (in which, it was apparent, dangerous attempts would be made; and that the court could not be able to resist those

attempts,) and if Mr. Pym, Mr. Hambden, and Mr. Hollis, had been then preferred with Mr. Saint-John, before they were desperately embarked in their desperate designs, and had innocence enough about them, to trust the king, and be trusted by him; having yet contracted no personal animosities against him; it is very possible, that they might either have been made instruments to have done good service; or at least been restrained from endeavouring to subvert the royal building, for supporting whereof they were placed as principal pillars.

But the rule the king gave himself, (very reasonable at another time,) that they should first do service, and compass this or that thing for him, before they should receive favour, was then very unseasonable: since, besides that they could not in truth do him that service without the qualification, it could not be expected they would desert that side, by the power of which they were sure to make themselves considerable, without an unquestionable mark of interest in the other, by which they were to keep up their power and reputation: and so, whilst the king expected they should manifest their inclinations to his service, by their temper and moderation in those proceedings that most offended him; and they endeavoured, by doing all the hurt they could, to make evident the power they had to do him good; he grew so far disobliged and provoked, that he could not in honour gratify them; and they so obnoxious and guilty, that they could not think themselves secure in his favour: and thence, according to the policy and method of injustice, combined to oppress that power they had injured; and to raise a security for themselves, by disenabling the king to question their transgressions.

Notwithstanding all these contrivances to lessen the reputation of the court, (to which many other particulars contributed, which will be touched upon,) the city of London made great preparations to receive the king. Gourney, the lord mayor, was a man of wisdom and courage, and who expressed great indignation, to see the city so corrupted, by the ill artifices of factious persons; and therefore attended upon his majesty, at his entrance into the city, with all the lustre and good countenance it could shew; and as great professions of duty as it could make, or the king expect. And on Thursday, the five and twentieth of November, the king entered into London; where he was received with the greatest acclamations of joy, that had been known upon any occasion; and after a most magnificent entertainment, by sir Richard Gourney, lord mayor, at the guildhall; where the king, queen, prince, and the whole court of lords and ladies, were feasted; he was attended by the whole city to Whitehall, where he lodged that night; when the earl of Essex resigned his commission of general on this side Trent; which had been granted for the security of the kingdom, at his majesty's going into the north.

The next day, the king went to Hampton-court; and as soon as he came thither, took away the seals from sir Henry Vane, (having before taken his staff of treasurer of the [household] from him, and conferred it upon the lord Savile, in lieu of the presidentship of the north; which he should have had, if both houses had not declared that commission to be illegal;) then he appointed the guards

that were kept at Westminster, for the security of the two houses, ever since the news out of Scotland, to be dismissed; and shortly after published a proclamation, "for obedience to be given to the laws established, for the exercise of religion."

These proceedings of his majesty much troubled them; and the entertainment given to him by the city of London, in which their entire confidence was, much dejected them; and made them apprehend, their friends there were not so powerful as they expected. However, they seemed to abate nothing of their mettle; and, shortly after his return, resolved to present their remonstrance, lately framed, to him, together with a petition; in which they complained "of a malignant party, which prevailed so far, as to bring divers of their instruments to be of his privy-council; and in other employments of trust and nearness about his majesty, the prince, and the rest of his children: to which malignant party, amongst other wickedness, they imputed the insurrection of the papists in Ireland; and therefore, for the suppressing that wicked and malignant party, they besought his majesty, that he would concur with his people, in a parliamentary way, for the depriving the bishops of their votes in parliament," (when at that time the bill to that purpose had not passed the house of peers,) "and abridging their immoderate power over the clergy: [and] for the removing unnecessary ceremonies, by which divers weak consciences had been scrupled; that he would remove from his council such persons as persisted to favour any of those pressures wherewith the people had been grieved; and that he would for the future employ such persons in the public affairs, and take such to be near him in places of trust, as his parliament might have cause to confide in; and that he would reject and refuse all mediation and solicitation to the contrary, how powerful and near soever; that he would forbear to alienate any of the forfeited and escheated lands in Ireland, which should accrue to the crown, by reason of this rebellion. Which desires of theirs being graciously fulfilled by his majesty, (they said,) they would apply themselves to such courses and counsels, as should support his royal estate with honour and plenty at home, with power and reputation abroad; and by their loyal affection and service lay a sure and lasting foundation of the greatness and prosperity of his majesty, and his royal posterity in future times."

This petition, together with the remonstrance, was presented at Hampton-court, on the first day of December; and within few days after, both the petition and remonstrance were by order printed, and with great industry published throughout the kingdom. Albeit the king, at the receipt thereof, desired and forbade them to publish either, till he should send his answer: which he did shortly after, expressing,

"How sensible he was of that disrespect: reprehending them for the unparliamentariness of their remonstrance; in point whereof," he said, "he would reserve himself to take such course, as he should think fit, in prudence and honour." But to their petition, he told them, "that if they would make that wicked and malignant party, whereof they complained, known to his majesty, he would be as ready to suppress and punish it, as they could be to complain; that by those

"counsellors, whom he had exposed to trial, he had given sufficient testimony, that there was no man so near unto him, in place or affection, whom he would not leave to the justice of the law, if they should bring sufficient proofs, and a particular charge against him: in the mean time, he wished them to forbear such general aspersions, as, since they named none in particular, might reflect upon all his council; that, for the choice of his counsellors, and ministers of state, it was the natural liberty all freemen have, and the undoubted right of the crown, to call such to his secret council, and public employment, as he should think fit; yet he would be careful to make election of such, as should have given good testimonies of their abilities and integrity, and against whom there [could] be no just cause of exception; that for the depriving the bishops of their votes in parliament, they should consider, that their right was grounded upon the fundamental law of the kingdom, and constitution of parliament."

"For what concerned religion, church government, and the removing unnecessary ceremonies, if the parliament should advise him to call a national synod, he should consider of it, and give them due satisfaction therein; declaring his resolution to maintain the doctrine and discipline established by law, as well against all invasions of popery, as from the irreverence of schismatics and separatists; wherewith, of late, this kingdom and this city abounds, to the great dishonour and hazard both of church and state; for the suppression of whom, his majesty required their timely and active assistance."

"To their desire concerning Ireland, he told them, he much doubted whether it were seasonable to declare resolutions of that nature, before the events of the war were seen: however, he thanked them for their advice; and conjured them to use all possible diligence and expedition in advancing the supplies thither; the insolence and cruelty of the rebels daily increasing."

The graciousness and temper of this answer made no impression on them; but they proceeded in their usual manner; framing and encouraging, underhand, those whispers, by which the rebellion in Ireland might be understood to receive some extraordinary countenance from the court of England, the scandal whereof, they knew, would quickly fall upon the queen.

And the diligence and dexterity of the lord mayor caused an address to be prepared to his majesty from the court of aldermen; which was sent by the two sheriffs, and two others of that body; by which his majesty was humbly desired to reside at "Whitehall:" which angered the governing party as much as the ceremonious reception had done. The petition was graciously received; all the aldermen knighted; and the court, within a day or two, removed to Whitehall.

The letters out of Ireland were very importunate for relief, of men, money, and provisions; the rebels very much increasing, and taking courage, from the slow proceeding here for their suppression: which indeed was not advanced equal to men's expectations; though the king, upon his first coming to the houses after his return from Scotland, with great earnestness recommended it to them. Only the propositions made from Scotland, "for the sending ten thousand men from



"thence into Ulster, to be paid by the parliament," were consented to; whereby some soldiers were despatched thither, to defend their own plantation; and did in truth, at our charge, as much oppress the English that were there, as the rebels could have done; and had upon the matter the sole government of that province committed to them, the chief towns and garrisons, which were kept by English, being delivered into their hands. The lieutenant himself, the earl of Leicester, (who was now grown gracious to the managers,) made not that haste to his charge some men thought necessary; pretending "that the rebels had yet some apprehensions and terror of his coming thither with great forces, and provisions of all kinds; but that if they should hear he were landed, with so small a strength as was yet raised, and in no better equipage than he was yet able to go in, they would take courage and would oppress him, before more succours could come; by reason, that those who yet stood upon their guard, and publicly sided not with the rebels, (till, by the resistance and opposition they found prepared for them, they might guess who was like to prevail,) would then freely declare, and join with the rest."

The slow levies of men was imputed to the difficulty of getting volunteers; their numbers, who had commissions, upon beating their drums, rising very inconsiderably: and therefore they prepared a bill for pressing; which quickly passed the commons' house, and was sent up to the lords. It cannot be supposed, that there could be then a scarcity of men, or that it could be hard, within three months after the disbanding the northern army, to gather together as many men as they had occasion to use: but their business was to get power, not men; and therefore this stratagem was used, to transfer the power of impressing men from the king to themselves; and to get the king, that he might be now able to raise men for Ireland, to disenable himself from pressing upon any other occasion. For, in the preamble of this bill, which they sent up to the lords, (as they had done before in the first act for tonnage and poundage,) they declared, "that the king had in no case, or upon any occasion, but the invasion from a foreign power, authority to press the freeborn subject; which could not consist with the freedom and liberty of his person."

This doctrine was new to the lords, and contrary to the usage and custom of all times; and seemed a great diminution of that regal power, which was necessary for the preservation of his own subjects, and assistance of his allies; which in many cases he was bound to yield. And the attorney general took the courage "to desire the lords," (as he should often have done in other cases,) "that he might be heard on the king's behalf, before they consented to a clause so prejudicial to the king's prerogative." This necessary stop was no sooner made, than the commons laid aside the consideration of Ireland; ordered their committee "to meet no more about that business;" the levies, which were then making of volunteers, stood still; and they declared, "that the loss of Ireland must be imputed to the lords." On the other side, the lords too well understood that logic, to be moved by it; and were rather sensible of the inconveniences they had incurred by their former compliance, than inclined to repeat the same error.

In the mean time, letters came every day from Ireland, passionately bemoaning their condition; and multitudes of men, women, and children, who were despoiled of their estates, and forced into this kingdom for want of bread, spake more lamentably than the letters. In this strait, they knew not what to do; for whatever discourse they pleased themselves with, concerning the lords, it was evident the fault would lie at their own doors; besides that, his majesty might take that occasion, to take the whole business out of their hands, and manage it himself by his council; which would both lessen their reputation and interest, and indeed defeat much that they had projected.

Hereupon, Mr. Saint-John, the king's solicitor, (a man that might be trusted in every company,) went privately to his majesty; and seemed to him much troubled "at the interruption given by the commons; and to consent, that the preamble was unreasonable, and ought to be insisted [against] by the lords, on the behalf of his majesty's prerogative: however, he told him, since he thought it impossible to rectify the commons in their understandings, it would be a great blessing to his majesty, if he could offer an expedient to remove that rub, which must prove fatal to Ireland in a short time; and might grow to such a disunion between the two houses, as might much cloud the happiness of this kingdom; and, undoubtedly, could not but have a very popular influence upon both, when both sides would be forwarder to acknowledge his majesty's great wisdom and piety, than they could be now made to retract any thing that was erroneous in themselves;" and then "advised him to come to the houses; and to express his princely zeal for the relief of Ireland; and taking notice of the bill for pressing, depending with the lords, and the dispute raised, concerning that ancient and undoubted prerogative, to avoid further debate, to offer, that the bill should pass with a *salvo jure*, both for the king and people; leaving such debates to a time that might better bear it."

Which advice his majesty followed; and coming to the house, said the very words he had proposed to him. But now their business was done, (which truly, I think, no other way could have been compassed,) the divided lords and commons presently unite themselves in a petition to the king; "acknowledging his royal favour and protection to be a great blessing and security to them, for the enjoying and preserving all those private and public liberties and privileges which belong unto them; and whensoever any of those liberties or privileges should be invaded, they were bound, with humility and confidence, to resort to his princely justice for redress and satisfaction; because the rights and privileges of parliament were the birthright and inheritance, not only of themselves, but of the whole kingdom, wherein every one of his subjects was interested: that amongst the privileges of parliament, it was their ancient and undoubted right, that his majesty ought not to take notice of any matter in agitation and debate, in either house of parliament, but by their information and agreement; and that his majesty ought not to propound any condition, provision, or limitation, to any bill, or act, in debate or preparation, in either house of parliament; or to declare his consent or dis-



"sent, his approbation or dislike, of the same, before it be presented to him in due course of parliament. They declared, that all those privileges had been lately broken, to their great sorrow and grief, in that speech which his majesty had made to them; wherein he took notice of a bill for pressing of soldiers, not yet agreed upon; and offered a *salvo jure*, and provisional clause, to be added to it, before it was presented to him: and therefore they besought him, by his royal power to protect them, in those and the other privileges of his high court of parliament; and that he would not, for the time to come, break or interrupt them; and that, for the reparation of them in that their grievance and complaint, he would declare and make known the name of such person, by whose misinformation, and evil counsel, his majesty was induced to the same, that he might receive condign punishment. And this they did desire, and, as his greatest and most faithful council, did advise his majesty to perform, as a great advantage to him, by procuring and confirming a confidence and unity betwixt his majesty and his people," &c.

And having delivered this petition, they no more considered Ireland, till this manifest breach should be repaired; which they resolved nothing should do, but the passing the bill: and therefore, when the king offered them, by a message sent by the earl of Essex, "that he would take care, by commissions which he would grant, that ten thousand English volunteers should be speedily raised for the service of Ireland, if the houses would declare that they would pay them;" the overture was wholly rejected; they neither being willing that such a body of men should be raised by the king's direction, (which would probably be more at his devotion than they desired,) nor in any other way than they proposed: and so in the end (after other ill accidents intervening, which will be remembered in order) he was compelled to pass the bill for pressing, which they had prepared.

However, for all this, and the better, it may be, for all this, the king, upon his arrival at Whitehall, found both his houses of parliament of a much better temper than they had been; many having great indignation to see his majesty so ill treated by his own servants, and those who were most obliged to his bounty and magnificence; and likewise to discern how much ambition and private interest was covered under public pretences. They who were in truth zealous for the preservation of the law, the religion, and true interest of the nation, were solicitous to preserve the king's honour from any indignity, and his regal power from violation; and so always opposed those who trencched upon either, and who could compass their ends by no other means than by trampling upon both. So that, in truth, that which was called the king's party, in both houses, was made up of persons who were strangers, or without any obligation, to the court; of the best fortunes, and the best reputation, in their several countries where they were known; as having always appeared very zealous in the maintenance of their just rights, and opposed, as much as in them lay, all illegal and grievous impositions: whilst his own privy-council, (two or three only excepted,) and much the greater number of all his own servants, either publicly opposed, or privately betrayed him; and so much the more virulently abhorred all those who now appeared to

carry on his service, because they presumed to undertake, at least to endeavour, (for they undertook nothing, nor looked for any thanks for their labour,) to do that which they ought to have done; and so they were upon this disadvantage, that whenever they pressed any thing in the house, which seemed immediately to advance the king's power and authority, some of the king's council, or his servants, most opposed it, under the notion "of being prejudicial to the king's interest:" whilst they who had used to govern and impose upon the house, made show of being more modest, and yet were more silent [insolent]; and endeavoured, by setting new counsels on foot, to entangle, and engage, and indeed to overreach the house; by cozening them into opinions which might hereafter be applicable to their ends, rather than to pursue their old designs, in hope to obtain in the end a success by their authority. The night of the remonstrance had humbled them in that point: and from that time, they rather contrived ways to silence those who opposed them, by traducing them abroad, and taking any advantage against them in the house, for any expressions they used in debate which might be misinterpreted; and so calling them to the bar, or committing them to the Tower: which did in truth strike such a terror into the minds of many, that they forbore to come to the house, rather than expose themselves to many uneasinesses there.

There was at this time, or thereabout, a debate started in the house, as if by mere chance, which produced many inconveniences after; and, if there had not been too many concurrent causes, might be thought the sole cause and ground of all the mischiefs which ensued. Upon some report, or discourse of some accident, which had happened upon or in the disbanding the late army, an obscure member moved, "That the house would enter upon the consideration, whether the militia of the kingdom was so settled by law, that a sudden force, or army, could be drawn together, for the defence of the kingdom, if it should be invaded, or to suppress an insurrection or rebellion, if it should be attempted."

The house kept a long silence after the motion, the newness of it amusing most men, and few in truth understanding the meaning of it; until one and another of the members, who were least taken notice of, seeming to be moved by the weight of what had been said, enlarged upon the same argument: and in the end it was proposed, "That a committee might be appointed, to consider of the present state of the militia, and the power of it; and to prepare such a bill for the settling it, as might provide for the public peace, and for the suppressing any foreign enemy, or domestic insurrection."

And hereupon they were inclined to nominate a committee, to prepare such a bill as should be thought necessary: upon which Mr. Hyde spake against the making any such committee; said, "There could be no doubt, that the power of the militia resided in the king, in whom the right of making war and peace was invested; that there had never yet appeared any defect of power, by which the kingdom had been in danger, and we might reasonably expect the same security for the future." With which the house seemed well satisfied and composed, and inclined to resume some other debate, until Saint-John, who was then

the king's solicitor, and the only man in the house of his learned council, stood up, and said, "He could not suffer that debate, in which there had been so many weighty particularities mentioned, to be discontinued without some resolution: that he would be very glad there were that power in the king, (whose rights he was bound to defend,) as the gentleman who spake last seemed to imagine; which, for his part, he knew there was not; that the question was not about taking any power from the king, which was vested in him, (which was his duty always to oppose,) but to inquire, whether there be such a power in him, or any where else, as is necessary for the preservation of the king and the people, in many cases that may fall out; and if there be not, then to supply him with that power and authority;" and he said, "he did take upon him with confidence to say, that there was a defect of such power and authority:" he put them in mind, "how that power had been executed in the age in which we live; that the crown had granted commissions to great men, to be lord lieutenants of counties; and they to gentlemen of quality, to be their deputy lieutenants; and to colonels, and other officers, to conduct and list soldiers; and then he wished them to consider, what votes they had passed, of the illegality of all those commissions, and the unjustifiableness of all the proceedings which had [been] by virtue of those commissions; so that let the occasion or necessity be what it would, he did presume, no man would hereafter execute any such commission; and if there were any men so hardy, that nobody would obey them; and therefore desired them to consider, whether there be not a defect of power, and whether it ought not to be supplied."

It was now evident enough, that the debate had not begun by chance, but had been fully deliberated; and what use they would make, upon occasions, of those volumes of votes, they had often poured out upon all accidental debates; and no man durst take upon him to answer all that had been alleged, by saying, all those votes were of no validity; and that the king's right was, and would be, judged the same it had been before, notwithstanding those votes; which is very true: but this being urged by the king's own solicitor, they appointed him "to bring in and prepare such a bill as he thought necessary;" few men imagining that such a sworn officer would not be very careful and tender of all his master's prerogatives, which he was expressly sworn to defend.

Within few days after, he brought in a very short bill, in which was mentioned by way of preface, "That the power over the militia of the kingdom was not settled in any such manner, that the security of the kingdom was provided for, in case of invasion or insurrection, or such like accidents;" and then an enacting clause, "That henceforward the militia, and all the power thereof, should be vested in — &c." and then a large blank left for inserting names; and afterwards, the "absolute authority to execute — &c." The ill meaning whereof was easily understood; and with some warmth pressed, "That by this bill all the power would be taken out of the crown, and put into the hands of commissioners." To which the solicitor made answer, "That the bill took no power from any body who had it, but was provided to give power where it

"was not; nor was there mention of any commissioners; but a blank was therefore left, that the house might fill it up as they thought fit, and put the power into such hands as they thought proper; which, for aught he knew, might be the king's; and he hoped it would be so."

And with this answer the bill was received, notwithstanding all opposition, and read; all those persons who had formerly been deputy lieutenants, and lay under the terror of that vote, presuming, that this settlement would provide for the indemnity of all that had passed before; and the rest, who might still be exposed to the same hazards, if they should be required to act upon the like occasions, concurring in the desire, that somewhat might be done for a general security; and they who had contrived it, were well enough contented that it was once read; not desiring to prosecute it, till some more favourable conjuncture should be offered: and so it rested.

About this time, the king not being well satisfied in the affection or fidelity of sir William Balfour, whom he had some years before, to the great and general scandal, and offence of the English nation, made lieutenant of the Tower; and finding that the seditious preachers every day prevailed in the city of London, and corrupted the affections and loyalty of the meaner people towards the government of church and state; resolved to put that place (which was looked upon as a bridge upon the city) into the hands of such a man upon whom he might rely: and yet, he was willing to be quit of the other, without any act of disobligation upon him; and therefore gave him three thousand pounds, ready money, which was raised by the sale of some of the queen's own jewels: and immediately caused colonel Lunsford to be sworn in his place, lieutenant of the Tower.

This was no sooner known, than the house of commons found themselves concerned in it; and upon pretence "that so excellent a person as sir William Balfour" (who in truth was very gracious to them, for the safe keeping the earl of Strafford) "could not be removed from that charge, but upon some eminent design against the city and the kingdom; and that the man who was appointed for his successor was a person of great license, and known only by some desperate acts; for which he had been formerly imprisoned by the state, and having made his escape, fled the kingdom: they desired the lords to join with them in a petition to the king, to put the Tower into better hands;" making such arguments against the person of the man, as before spoken of. The lords replied to them, "That it was an argument of that nature, they thought not themselves competent advisers in it; the custody of the Tower being solely at the king's disposal, who was only to judge of the fitness of the person for such a charge." But at the same time that they refused to join in a public desire to the king, they caused privately advice to be given to him, "that he should make choice of a fitter person, against whom no exceptions could be made." For indeed sir Thomas Lunsford was not then known enough, and of reputation equal to so envious a province; and thereupon, within two or three days at most, he resigned the place, and the king constituted sir John Byron in the place.

This gave them no satisfaction in the change,

since it had no reference to their recommendation ; which they only looked after : but it gave them great delight, to see that the king's counsels were not so fixed, but their clamour might alter them ; and that doing hurt, being as desirable a degree of power [to some men] as doing good, and likely to gain them more proselytes, they had marred a man, though they could not make one. And without doubt, it was of great disadvantage to the king, that that counsel had not been formed with such deliberation, that there would need no alteration ; which could not be made, without a kind of recognition.

All this time the bill depended in the lords' house, "for the taking away the votes of bishops," and removing them from the house of peers ;" which was not like to make a more prosperous progress there, than it had six months before ; it being evident, that the jurisdiction of the peerage was invaded by the commons ; and therefore, that it was not reasonable to part with any of their supporters. But the virulence against them still increased ; and no churches frequented, but where they were preached against, as antichristian ; the presses swelled with the most virulent invectives against them ; and a sermon was preached at Westminster, and afterwards printed, under the title of *The Protestation Protested*, by the infamous Burton, whereby he declared, "That all men were obliged " by their late protestation, by what means soever, " to remove both bishops and the common prayer " book out of the church of England, as impious " and papistical : " whilst all the learned and orthodox divines of England were looked upon under the notion of scandalous ministers ; and if the meanest and most vicious parishioner they had could be brought to prefer a petition against either of them to the house of commons, (how false soever,) he was sure to be prosecuted as such.

In the end, a petition was published, in the name " of the apprentices, and those whose apprentice- " ships were lately expired," in and about the city of London ; and directed, "To the king's most excellent majesty in the parliament now assembled ; shewing, That they found by experience, both by " their own and masters' tradings, the beginning " of great mischiefs coming upon them, to nip them " in the bud, when they were first entering into the " world ; the cause of which they could attribute to " no others but the papists, and the prelates, and " that malignant party which adhered to them : " that they stood solemnly engaged, with their " utmost of their lives and fortunes, to defend his " sacred majesty and royal issue, together with the " rights and liberties of parliaments, against papists, and popish innovators ; such as archbishops, " bishops, and their dependents, appear to be. They " desired his majesty in parliament to take notice, " that notwithstanding the much unwearied pains " and industry of the house of commons, to sub- " due popery, and popish innovators ; neither is " popery yet subdued, nor prelates are yet re- " moved ; whereby many had taken encourage- " ments desperately to plot against the peace and " safety of his dominions : witness the most bar- " barous and inhuman cruelties perpetrated by the " papists in Ireland ; from whence (they said) a " new spring of fears and jealousies arose in them : " and therefore they desired, that the popish lords, " and other eminent and dangerous papists, in all " parts of the kingdom, might be looked unto,

" and secured ; the laws against priests and jesuits " fully executed ; and the prelacy rooted up : that " so the work of reformation might be prosperously " carried on ; their distracting fears removed ; that " the freedom of commerce and trade might pass " on more cheerfully, for the encouragement of the " petitioners," &c.

This, and such stuff, being printed, and scattered amongst the people ; multitudes of mean people flocked to Westminster-hall, and about the lords' house ; crying, as they went up and down, *No bishops, no bishops*, "that so they might carry on " the reformation."

I said before, that upon the king's return from Scotland, he discharged the guards that attended upon the houses. Whereupon the house of commons (for the lords refused to join with them) petitioned the king, "in regard of the fears they had " of some design from the papists, that they might " continue such a guard about them as they thought " fit."

To which his majesty answered, " That he was " confident they had no just cause of fear ; and " that they were as safe as himself and his chil- " dren : but, since they did avow such an appre- " hension of danger, that he would appoint a suf- " ficient guard for them." And thereupon directed the train-bands of Westminster and Middlesex (which consisted of the most substantial house- holders, and were under known officers) in fit numbers to attend.

This security was not liked ; and it was asked, *Quis custodiet ipsos custodes* --- ? And when the disorderly rabble, spake of now, first came down, they resisted them, and would not suffer them to disturb the houses ; and some of them, with great rudeness, pressing to the door of the house of peers, their lordships appointed the guard to be called up to remove them ; and the earl of Dorset, being then lord lieutenant of Middlesex, (the crowd oppressing him, and refusing to leave the room,) in some passion, called upon the guard "to give fire upon " them ;" whereupon the rabble, frightened, left the place, and hasted away.

The house of commons, much incensed that their friends should be so used, much inveighed against the earl of Dorset ; and talked " of accus- " ing him of high treason ;" at least, " of drawing " up some impeachment against him ;" for some judgment he had been party to in the star-chamber, or council-table : and so giving these hints of their displeasure, that he might have the more care hereafter to carry himself ; they concluded, that since they could not have such a guard as pleased them, they would have none at all : and so sent to the lords " for the discharge of the train-bands " that attended : " who willingly consented to it ; which was done accordingly : the house of commons declaring, " That it should be lawful for " every member to bring his own servants, to " attend at the door, armed with such weapons as " they thought fit."

It was quickly understood abroad, that the commons liked well the visitations of their neighbours : so that the people assembled in greater numbers than before, about the house of peers ; calling still out with one voice, *No bishops, no popish lords* : crowded and affronted such lords as came near them, and whom they knew affected not their ends, calling them *rotten-hearted lords*.

Hereupon the house of peers desired a confer-

ence with the commons; at which they complained of these tumults; and told them, "that such disorders would be an imputation upon the parliament, and make it be doubted, whether they had freedom; and so might happily become a blemish to those many good laws they had already passed, as well as prevent the making more: and therefore desired them, that they would, for the dignity of parliaments, join with them in a declaration, for the suppressing such tumults." This was reported to the commons; and as soon laid aside, "for the handling of other matters of more importance."

The tumults continued; and their insolences increased; insomuch, as many dissolute and profane people went into the abbey at Westminster, and would have pulled down the organs, and some ornaments of the church; but being resisted, and by force driven out, they threatened, "they would come with greater numbers, and pull down the church."

Hereupon the lords again sent to the house of commons, to join with them in their declaration; and many members of that house complained, "that they could not come with safety to the house; and that some of them had been assaulted, and very ill entreated, by those people that crowded about that door." But this could not be procured; the debate being still put off to some other time; after several speeches had been made in justification of them, and commendation of their affections: some saying, "they must not discourage their friends, this being a time they must make use of all friends;" Mr. Pym himself saying, "God forbid the house of commons should proceed, in any way, to dishearten people to obtain their just desires in such a way."

In the end, the lords required the advice of the judges, "what course was legally to be taken, to suppress and prevent those disorders;" and thereupon directed the lord keeper of the great seal, "to issue out a writ, upon the statute of Northampton, to the sheriff and justices, to appoint strong watches in such places as they judged most convenient, to hinder that unlawful confux of people to Westminster, to the disturbance of their consultations." Which writ issuing accordingly, the justices of the peace, in obedience thereunto, appointed the constables to attend at the water side, and places near about Westminster, with good watches, to hinder that tumultuous resort.

This was no sooner done, than the constables were sent for, and, after the view of their warrants, required to discharge their watches. And then the justices [were] convened, and examined; and albeit it appeared, that what they had done was in pursuance of a legal writ, directed to them under the great seal of England, by the advice of the lords in parliament, without so much as conferring with the lords upon that act of theirs, the setting such a watch was voted to be "a breach of privilege;" and one of the justices of the peace, who, according to his oath, had executed that writ, was committed to the Tower for that offence.

Upon this encouragement, all the factious and schismatical people about the city and suburbs assembled themselves together with great license; and would frequently, as well in the night as the day, convene themselves, by the sound of a bell, or other token, in the fields, or some convenient place,

to consult, and receive orders from those by whom they were to be disposed. A meeting of this kind being about the time we speak of in Southwark, in a place where their arms and magazine for that borough was kept; the constable, being a sober man, and known to be an enemy to those acts of sedition, went amongst them, to observe what they did: he was no sooner espied, but he was reproached with disdainful words, beaten and dragged in so barbarous a manner, that he hardly escaped with his life. Complaint was made to the next justices; and oath of the truth of the complaint made: whereupon a writ was directed to the sheriff, to impanel a jury, according to the law, for the inquisition and examination of that riot.

This was complained of in the house of commons, as an act that concerned their privileges: for that it was pretended, "that meeting in Southwark had been by godly and well affected men, only to draw up and prepare a petition against bishops; and that the constable, being a friend to bishops, came amongst them to cross them, and to hinder men from subscribing that whole some petition." And upon this discourse, without any further examination, an order was made by that house, "that the under-sheriff of Surrey should be enjoined, not to suffer any proceedings to be made upon any inquisition, that might concern any persons who met together to subscribe a petition to be preferred to that house."

By this, and other means, all obstacles of the law being removed, and the people taught a way to assemble lawfully together, in how tumultuous a manner soever, and the Christmas holidays giving more leave and license to all kind of people, the concourse grew more numerous about Westminster; the people sometimes, in their passage between the city and Westminster, making a stand before Whitehall, and crying out, *No bishops, no bishops, no popish lords*, would say aloud, "that they would have no more porter's lodge, but would speak with the king when they pleased:" and, where they came near the two houses, took out papers from their pockets, and getting upon some place higher than the rest, would read the names of several persons, under the title of *disaffected members of the house of commons*; and called many lords, *false, evil, and rotten-hearted lords*. But their rage and fury against the bishops grew so high, that they threatened to pull down the lodgings where they lay; offered to force the doors of the abbey at Westminster, which were kept locked many days, and defended by a continual guard within; and assaulted the persons of some of the bishops in their coaches; and laid hands on the archbishop of York, in that manner, that, if he had not been seasonably rescued, it was believed they would have murdered him: so that all the bishops, and many other members, of both houses, withdrew themselves from attending in the houses, out of a real apprehension of endangering their lives.

These insurrections by this means were so countenanced, that no industry or dexterity of the lord mayor of London, sir Richard Gourney, could give any check to it [them]; but, instead thereof, himself (with great and very notable courage opposing all their fanatic humours, both in the court of aldermen, and at the common council) grew to be reckoned in the first form of the *malignants*, (which was the term they imposed upon all those they

meant to render odious to the people,) inasmuch, as his house was no less threatened and disquieted by the tumults, than the house of lords: and when he apprehended some of those who were most notorious in the riot, and committed them to the custody of both the sheriffs of London in person, to be carried to Newgate, they were, by the power and strength of their companions, rescued from them in Cheapside, and the two sheriffs compelled to shift for their own safety. And when it was offered to be proved, by a member in the house of commons, that the wife of captain Venn, (having received a letter from her husband to that purpose,) who was one of the burgesses for London, and was known himself to lead those men, that came tumultuously down to Westminster, and Whitehall, at the time of the passing the bill of attainder of the earl of Strafford, had with great industry solicited many people to go down with their arms to Westminster, upon a day, (that was named,) when, she said, her husband had sent her word, that in the house of commons they were together by the ears, and that the worse party was like to get the better of the good party; and therefore her husband desired his friends to come with their arms to Westminster, to help the good party; and that thereupon very many in a short time went thither: they, who offered to make proof of the same, were appointed to attend many days; but, notwithstanding all the importunity that could be used, were never admitted to be heard.

All this time the king (who had been with great solemnity invited from [by] the city of London, and desired to make his residence nearer to them than Hampton-court) was at Whitehall, where, besides his ordinary retinue, and menial servants, many officers of the late disbanded army, who solicited their remainder of pay from the two houses, which was secured to them by act of parliament, and expected some farther employment in the war with Ireland, upon observation, and view of the insolence of the tumults, and the danger, that they might possibly bring to the court, offered themselves for a guard to his majesty's person; and were with more formality and ceremony entertained by him, than, upon a just computation of all distempers, was by many conceived seasonable. And from these officers, warm with indignation at the insolences of that vile rabble, which every day passed by the court, first words of great contempt, and then, those words commonly finding a return of equal scorn, blows were fastened upon some of the most pragmatical of the crew. This was looked upon by the house of commons like a levying war by the king, and much pity expressed by them, that the poor people should be so used, who came to them with petitions, (for some few of them had received some cuts and slashes, that had drawn blood,) and that made a great argument for reinforcing their numbers. And from those contestations, the two terms of *roundhead* and *cavalier* grew to be received in discourse, and were afterwards continued for the most succinct distinction of affections throughout the quarrel: they who were looked upon as servants to the king being then called *cavaliers*; and the other of the rabble contemned, and despised, under the names of *round-heads*.

The house of commons being at this time without any member, who, having relation to the king's service, would express any zeal for it, and could

take upon him to say to others, whom he would trust, what the king desired, or to whom they who wished well could resort for advice and direction; so that whilst there was a strong conjunction and combination to disturb the government by depraving it, whatever was said or done to support it, was as if it were done by chance, and by the private dictates of the reason of private men; the king resolved to call the lord Falkland, and sir John Colepepper, who was knight of the shire for Kent, to his council; and to make the former secretary of state in the place of Vane, that had been kept vacant; and the latter chancellor of the exchequer, which office the lord Cottington had resigned, that Mr. Pym might be put into that office, when the lord Bedford should have been treasurer, as is mentioned before. They were both of great authority in the house; neither of them of any relation to the court; and therefore what they said made the more impression; and they were frequent speakers. The lord Falkland was wonderfully beloved by all who knew him, as a man of excellent parts, of a wit so sharp, and a nature so sincere, that nothing could be more lovely. The other was generally esteemed as a good speaker, being a man of an universal understanding, a quick comprehension, a wonderful memory, who commonly spake at the end of the debate; when he would recollect all that had been said of weight on all sides with great exactness, and express his own sense with much clearness, and such an application to the house, that no man more gathered a general concurrence to his opinion than he; which was the more notable, because his person, and manner of speaking, were ungracious enough; so that he prevailed only by the strength of his reason, which was enforced with confidence enough. His infirmities were known only to his nearest friends, or those who were admitted into his most intimate conversation.

The king knew them to be of good esteem in the house, and good affections to his service, and the quiet of the kingdom; and was more easily persuaded to bestow those preferments upon them, than the lord Falkland was to accept that which was designed to him. No man could be more surprised than he was, when the first insinuation was made to him of the king's purpose: he had never proposed any such thing to himself, nor had any veneration for the court, but only such a loyalty to the person of the king as the law required from him. And he had naturally a wonderful reverence for parliaments, as believing them most solicitous for justice, the violation whereof, in the least degree, he could not forgive any mortal power: and it was only his observation of the uningenuity and want of integrity in this [parliament], which lessened that reverence to it, and which had disposed him to cross and oppose their designs: he was so totally unacquainted with business, and the forms of it, that he did believe really he could not execute the office with any sufficiency. But there were two considerations that made most impression upon him; the one, lest the world should believe, that his own ambition had procured this promotion; and that he had therefore appeared signally in the house to oppose those proceedings, that he might thereby render himself gracious to the court: the other, lest the king should expect such a submission, and resignation of himself, and his own reason, and judgment, to his com-

mands, as he should never give, or pretend to give; for he was so severe an adorer of truth, that he could as easily have given himself leave to steal as to dissemble; or to suffer any man to think that he would do any thing, which he resolved not to do; which he thought a more mischievous kind of lying, than a positive averring what could be most easily contradicted.

It was a very difficult task to Mr. Hyde, who had most credit with him, to persuade him to submit to this purpose of the king cheerfully, and with a just sense of the obligation, by promising, that in those parts of the office, which required most drudgery, he would help him the best he could, and would quickly inform him of all the necessary forms. But, above all, he prevailed with him, by enforcing the ill consequence of his refusal to take the office, which would be interpreted to his dislike of the court, and his opinion, that more would be required from him than he could honestly comply with, which would bring great prejudice to the king: on the other hand, the great benefit that probably would redound to the king, and the kingdom, by his accepting such a trust in such a general defection, by which he would have opportunity to give the king a truer information of his own condition, and the state of the kingdom, than it might be presumed had been given to him, and to prevent any counsels, or practice, which might more alienate the affections of the people from the government; and then, that by this relation he would be more able to do the king service in the house, where he was too well known to have it believed, that he attained to it by any unworthy means or application. And in the end, he was persuaded to submit to the king's good pleasure, though he could not prevail upon himself to do it with so good a grace, as might raise in the king any notable expectation of his departing from the severity of his own nature.

And so they [he and Colepepper] were both invested in those offices, to the no small displeasure of the governing party, which could not dissemble their indignation, that any of their members should presume to receive those preferments, which they had designed otherwise to have disposed of. They took all opportunities to express their dislike of them, and to oppose any thing they proposed to them. And within few days there came a letter out in print, pretended to be intercepted, as written from a Roman catholic to another of the same profession, in which he gives an account, "That they had at last, by the interest of their friends, procured those two noble persons" (who are mentioned before) "to be preferred to those offices, and that they were well assured that they would be ready to do them, and all their friends, all good offices." Sir John Colepepper thought fit to take notice of it in the house, and to make those professions of his religion, which he thought necessary. But the lord Falkland chose rather to condemn it, without taking any notice of the libel, well knowing that he was superior to those calumnies, as indeed he was; all of that profession knowing that he was most irreconcilable to their doctrine, though he was always civil to their persons. However grievous this preferment was to the angry part of the house, it was very grateful to all those, both within and without the house, who wished well to the king and to the kingdom.

The king at the same time resolved to remove

another officer, who did disserve him notoriously, and to prefer Mr. Hyde to that place; with which his gracious intentions his majesty acquainted him; but he positively refused it, and assured him, "That he should be able to do much more service in the condition he was in, than he should be, if that were improved by any preferment, that could be conferred upon him at that time;" and he added, "that he had the honour to have much friendship with the two persons, who were very seasonably advanced by his majesty, when his majesty's service in the house of commons did, in truth, want some countenance and support; and by his conversation with them, he should be so well instructed by them, that he should be more useful to his majesty, than if he were under a nearer relation and dependence." The king, with a very gracious countenance, told him, "that he perceived he must, for some time, defer the laying any obligation upon him: but bade him be assured he would find both a proper time, and a suitable preferment for him, which he should not refuse. In the mean time, he said, he knew well the friendship that was between the two persons, whom he had taken to his council, and him; which was not the least motive to him to make that choice; and that he would depend as much at least upon his advice, as upon either of theirs; and therefore wished that all three would confer together, how to conduct his service in the house, and to advise his friends how to carry themselves most to the advantage of it, and to give him constant advertisement of what had passed, and counsel when it was fit for him to do any thing; and declared, that he would do nothing, that in any degree concerned, or related to, his service in the house of commons, without their joint advice, and exact communication to them of all his own conceptions;" which, without doubt, his majesty did at that time steadfastly resolve, (though in very few days he did very fatally swerve from it,) and so giving him the liberty to repair to either of their majesties in the same place, whenever he thought fit, he was very graciously dismissed.

By what hath been said before, it appears, that the lord Digby was much trusted by the king, and he was of great familiarity and friendship with the other three, at least with two of them; for he was not a man of that exactness, as to be in the entire confidence of the lord Falkland, who looked upon his infirmities with more severity than the other two did; and he lived with more frankness towards those two, than he did towards the other: yet between those two there was a free conversation and kindness to each other. He was a man of very extraordinary parts by nature and art, and had surely as good and excellent an education as any man of that age in any country: a graceful and beautiful person; of great eloquence and becomingness in his discourse, (save that sometimes he seemed a little affected,) and of so universal a knowledge, that he never wanted subject for a discourse: he was equal to a very good part in the greatest affair, but the unfittest man alive to conduct it, having an ambition and vanity superior to all his other parts, and a confidence peculiar to himself, which sometimes intoxicated, and transported, and exposed him. He had from his youth, by the disobligations his family had undergone from the duke of Buckingham, and the great men

who succeeded him, and some sharp reprehension himself had met with, which obliged him to a country life, contracted a prejudice and ill-will to the court; and so had in the beginning of the parliament engaged himself with that party which discovered most aversion from it, with a passion and animosity equal to their own, and therefore very acceptable to them. But when he was weary of their violent counsels, and withdrew himself from them with some circumstances which enough provoked them, and made a reconciliation, and mutual confidence in each other for the future, manifestly impossible; he made private and secret offers of his service to the king, to whom, in so general a defection of his servants, it could not but be very agreeable: and so his majesty being satisfied, both in the discoveries he made of what had passed, and in his professions for the future, removed him from the house of commons, where he had rendered himself marvellously ungracious, and called him by writ to the house of peers, where he did visibly advance the king's service, and quickly rendered himself grateful to all those who had not thought too well of him before, when he deserved less; and men were not only pleased with the assistance he gave upon all debates, by his judgment and vivacity, but looked upon him as one, who could derive the king's pleasure to them, and make a lively representation of their good demeanour to the king, which he was very luxuriant in promising to do, and officious enough in doing as much as was just.

He had been instrumental in promoting the three persons above mentioned to the king's favour; and had himself, in truth, so great an esteem of them, that he did very frequently, upon conference together, depart from his own inclinations and opinions, and concurred in theirs; and very few men of so great parts are, upon all occasions, more counsellable than he; so that he would seldom be in danger of running into great errors, if he would communicate and expose all his own thoughts and inclinations to such a disquisition; nor is he uninclined in his nature to such an entire communication in all things which he conceived to be difficult. But his fatal infirmity is, that he too often thinks difficult things very easy; and doth not consider possible consequences, when the proposition administers somewhat that is delightful to his fancy, and by pursuing whereof he imagines he shall reap some glory to himself, of which he is immoderately ambitious; so that, if the consultation be upon any action to be done, no man more implicitly enters into that debate, or more cheerfully resigns his own conceptions to a joint determination: but when it is once affirmatively resolved, (besides that he may possibly reserve some impertinent circumstance, as he thinks, the imparting whereof would change the nature of the thing,) if his fancy suggests to him any particular, which himself might perform in that action, upon the imagination that every body would approve it, if it were proposed to them, he chooses rather to do it, than to communicate, that he may have some signal part to himself in the transaction, in which no other person can claim a share.

And by this unhappy temper he did often involve himself in very unprosperous attempts. The king himself was the unfittest person alive to be served by such a counsellor, being too easily inclined to sudden enterprises, and as easily

amazed when they were entered upon. And from this unhappy composition in the one, and the other, a very unhappy counsel was entered upon, and resolution taken, without the least communication with either of the three, [who] had been so lately admitted to an entire trust.

The bishops, who were, in this manner [before spoken of], driven and kept from the house of peers, and not very secure in their own, could not have the patience to attend the dissolution of this storm, which in wisdom they ought to have done: but considering right and reason too abstractly, and what in justice was due, not what in prudence was to be expected, suffered themselves implicitly to be guided by the archbishop of York, who was of a proud, restless, overweening spirit, to such an act of indiscretion, and disadvantage to themselves, that all their enemies could not have brought upon them. This bishop, as is said, was a man of a very imperious and fiery temper, Dr. Williams, who had been bishop of Lincoln, and keeper of the great seal of England in the time of king James. After his removal from that charge, he had lived splendidly in his diocese, and made himself very popular amongst those who had no reverence for the court; of which he would frequently, and in the presence of many, speak with too much freedom, and tell many stories of things and persons upon his own former experience; in which, being a man of great pride and vanity, he did not always confine himself to a precise veracity; and did often presume, in those unwary discourses, to mention the person of the king with too little reverence. He did affect to be thought an enemy to the archbishop of Canterbury; whose person he seemed exceedingly to contemn, and to be much displeased with those ceremonies and innovations, as they were then called, which were countenanced by the other; and had himself written and published in his own name, and by his own authority, a book against the using those ceremonies, in which there was much good learning, and too little gravity for a bishop. His passion and his levity gave every day great advantages to those who did not love him; and he provoked too many, not to have those advantages made use of: so that, after several informations against him in the star-chamber, he was sentenced for no less crimes than for perjury and subornation of perjury, and fined in a great sum of money to the king, and committed prisoner to the Tower, without the pity or compassion of any, but those, who, out of hatred to the government, were sorry that they were without so useful a champion; for he appeared to be a man of a very corrupt nature, whose passions could have transported him into the most unjustifiable actions.

He had a faculty of making relations of things done in his own presence, and discourses made to himself, or in his own hearing, with all the circumstances of answers and replies, and upon arguments of great moment; all which, upon examination, were still found to have nothing in them that was real, but to be the pure effect of his own invention. After he was sentenced in the star-chamber, some of his friends resorted to him, to lament and condole with him for his misfortune; and some of them seemed to wonder that, in an affair of such a nature, he had not found means to have made some submission and com-



position, that might have prevented the public hearing, which proved so much to his prejudice in point of reputation, as well as profit. He answered them with all the formality imaginable, "that they had reason indeed to wonder at him upon the event; but when they should know how he had governed himself, he believed they would cease to think him worthy of blame." And then related to them, "that as soon as publication had passed in his cause, and the books were taken out, he had desired his council (who were all able men, and some of them very eminent) in the vacation time, and they at most leisure, to meet together, and carefully to look over, and peruse all the evidence that was taken on both sides; and that then they would all attend him such a morning, which he appointed, upon their consent, at his own house at Westminster: that they came at the time appointed; and being then shut up in a room together, he asked them, whether they had sufficiently perused all the books, and were thoroughly informed of his case? To which they all answered, that they had not only read them all over together, but had severally, every man by himself, perused [them] again, and they believed they were all well informed of the whole. That he then told them, he had desired this conference with them, not only as his council, by whose opinion he meant to govern himself, but as his particular friends, who, he was sure, would give him their best advice, and persuade him to do every thing as they would do themselves, if they were in his condition. That he was now offered to make his peace at court, by such an humble submission to the king, as he was most inclined and ready to make; and which he would make the next day after his cause was heard, though he should be declared to be innocent, of which he could make no doubt: but that which troubled him for the present was, that the infamously of the charge against him, which had been often exposed, and enlarged upon in several motions, had been so much taken notice of through the kingdom, that it could not consist with his honour to divert the hearing, which would be imputed to his want of confidence in his innocence, since men did not suspect his courage, if he durst rely upon the other; but that he was resolved, as he said before, the next day after he should be vindicated from those odious aspersions, he would cast himself at the king's feet, with all the humility and submission, which the most guilty man could make profession of. It was in this point he desired their advice, to which he would, without adhering to his own inclination, entirely conform himself; and therefore desired them, singly in order, to give him their advice. He repeated the several and distinct discourse every man had made, in which he was so punctual, that he applied those phrases, and expressions, and manner of speech to the several men, which they were all taken notice of frequently to use; as many men have some peculiar words in discourse, which they are most delighted with, or by custom most addicted to: and in conclusion, that they were unanimous in their judgments, that he could not, with the preservation of his honour, and the opinion of his integrity, decline the public hearing; where he must be

"unquestionably declared innocent; there being no crime or misdemeanour proved against him in such a manner, as could make him liable to censure: they all commended his resolution of submitting to the king, as soon as he had made his innocence to appear; and they all advised him to pursue that method. This, he said, had swayed him; and made him decline the other expedient, that had been proposed to him."

This relation wrought upon those to whom it was made, to raise a prejudice in them against the justice of the cause, or the reputation of the council, as they were most inclined; whereas there was not indeed the least shadow of truth in the whole relation; except that there was such a meeting and conference, as was mentioned, and which had been consented to by the bishop, upon the joint desire and importunity of all the council; who, at that conference, unanimously advised and desired him, "to use all the means and friends he could, that the cause might not be brought to hearing; but that he should purchase his peace at any price; for that, if it were heard, he would be sentenced very grievously, and that there were many things proved against him, which would so much reflect upon his honour and reputation, and the more for being a bishop, that all his friends would abandon him, and be ever after ashamed to appear on his behalf." Which advice, with great passion and reproaches upon the several persons for their presumption and ignorance in matters so much above them, he utterly and scornfully rejected. Nor indeed was it possible, at that time, for him to have made his peace; for though, upon some former addresses and importunity on his behalf, by some persons of power, and place in the court, in which the queen herself had endeavoured to have done him good offices, the king was inclined to have saved him, being a bishop, from the infamy he must undergo by a public trial; yet the bishop's vanity had, in those conjunctures, so far transported him, that he had done all he could to have it insinuated, "that the court was ashamed of what they had done; and had prevailed with some of his powerful friends to persuade him to that composition:" upon which the king would never hear more any person, who moved on his behalf.

It had been once mentioned to him, whether by authority, or no, was not known, "that his peace should be made, if he would resign his bishopric, and deanery of Westminster," (for he held that *in commendam*), "and take a good bishopric in Ireland;" which he positively refused; and said, "he had much to do to defend himself against the archbishop here: but if he were in Ireland, there was a man (meaning the earl of Strafford) who would cut off his head within one month."

This bishop had been for some years in the Tower, by the sentence of the star-chamber, before this parliament met; when the lords, who were the most active and powerful, presently resolved to have him at liberty. Some had much kindness for him, not only as a known enemy to the archbishop of Canterbury, but as a supporter of those opinions, and those persons, which were against the church itself. And he was no sooner at liberty, and brought into the house, but, [as has been before mentioned,] he defended and



seconded the lord Say, when he made an invective, with all the malice and bitterness imaginable, against the archbishop, then in prison; and when he had concluded, that bishop said, "that he had long known that noble lord, and had always believed him to be as well affected to the church as himself;" and so he continued to make all his address to that lord, and those of the same party. Being now in full liberty, and in some credit and reputation, he applied himself to the king; and made all possible professions of duty to his majesty, and zeal to the church; protesting "to have a perfect detestation of those persons, who appeared to have no affection or duty towards his majesty, and all evil intentions against the religion established; and that the civilities he had expressed towards them was only out of gratitude for the good will they had shewed to him; and especially that he might the better promote his majesty's service." And it being his turn shortly after, as dean of Westminster, to preach before the king, he took occasion to speak of the factious in religion; and mentioning the presbyterians, he said, "it was a government only fit for tailors and shoemakers, and the like, and not for noblemen and gentlemen:" which gave great scandal and offence to his great patrons; to whom he easily reconciled himself, by making them as merry with some sharp sayings of the court, and by performing more substantial offices for them.

When, upon the trial of the earl of Strafford, it was resolved to decline the judgment of the house [of peers], and to proceed by bill of attainder; and thereupon it was very unreasonably moved, "that the bishops might have no vote in the passing that act of parliament; because they pretended it was to have their hand in blood, which was against an old canon;" this bishop, without communicating with any of his brethren, very frankly declared his opinion, "that they ought not to be present;" and offered, not only in his own name, but for the rest of the bishops, "to withdraw always when that business was entered upon;" and so betrayed a fundamental right of the whole order; to the great prejudice of the king, and to the taking away the life of that person, who could not otherwise have suffered.

And shortly after, when the king declared, that he neither would, nor could in conscience, give his royal assent to that act of attainder; when the tumults came about the court with noise and clamour for justice; the lord Say desired the king to confer with his bishops for the satisfaction of his conscience; and desired him to speak with that bishop in the point. After much discourse together, and the king insisting upon many particulars, which might induce others to consent, but were known to himself to be false; and therefore he could never in conscience give his own consent to them; the bishop, amongst other arguments, told him, "that he must consider, that as he had a private capacity, and a public, so he had a public conscience, as well as a private; that though his private conscience, as a man, would not permit him to do an act contrary to his own understanding, judgment, and conscience; yet his public conscience, as a king, which obliged him to do all things for the good of his people, and to preserve his kingdom in peace for himself and his prosperity [posterity], would not only permit him to do that, but even oblige,

"and require him. That he saw in what commotion the people were; that his own life, and that of the queen's, and the royal issue, might probably be sacrificed to that fury; and it would be very strange, if his conscience should prefer the life of one single private person, how innocent soever, before all those other lives, and the preservation of the kingdom."

This was the argumentation of that unhappy casuist, who truly, it may be, did believe himself; for towards the end of the war, and when the king's power declined, he, being then an archbishop, did take a commission from the rebels to take a castle of the king's; in which there was a garrison, and which he did take by a long siege; because he might thereby, and by being himself governor there, the better enjoy the profits of his own estate, which lay thereabouts.

Notwithstanding all these great services he had performed for them, he grew every day more imperious; and after the king thought it necessary to make him archbishop of York, which, as the time then was, could not qualify him to do more harm, and might possibly dispose and oblige him to do more good; he carried himself so insolently, in the house and out of the house, to all persons, that he became much more odious universally, than ever the other archbishop had been; having sure more enemies than he, and no friends, of which the other had abundance. And the great hatred of this man's person and behaviour, was the greatest invitation to the house of commons so irregularly to receive that bill to remove the bishops; and was their only encouragement to hope, that the lords, who had rejected the former, would now pass, and consent to this second bill.

This was one of the bishops, who was most rudely treated by the rabble; who gathered themselves together about the house of peers, crying out, *No bishops, no bishops*: and whose person was assaulted, and robes torn from his back; upon which, in very just displeasure, he returned to his house, the deanery at Westminster; and sent for all the bishops who were then in the town, (it being within very few days of Christmas,) of which there were twelve or thirteen; and, in much passion, and with his natural indignation, he proposed, as absolutely necessary, "that they might unanimously and presently prepare a protestation, to send to the house, against the force that was used upon them; and against all the acts, which were, or should be done during the time that they should by force be kept from doing their duties in the house." And immediately, having pen and ink ready, himself prepared a protestation; which, being read to them, they all approved; depending upon his great experience in the rules of the house, where he had sat so many years, and in some parliaments in the place of speaker, whilst he was keeper of the great seal; and so presuming that he could commit no error in matter of form: and without further communication and advice, which both the importance of the subject, and the distemper of the time, did require; and that it might have been considered as well what was fit, as what was right; without further delay, than what was necessary for the fair writing, and engrossing the instrument they had prepared; they all set their hands to it. And then the archbishop went to Whitehall to the king, and presented the protestation to him; it being directed to his majesty, with an humble desire, that he would

send it to the house of peers, since they could not present it themselves; and that he would command that it should be entered in the journal of the house. And his majesty casting his eye perfunctorily upon it, and believing it had been drawn by mature advice, no sooner received it, than he did deliver it to the lord keeper, who unfortunately happened to be likewise present, with his command that he should deliver it to the house as soon as it met; which was to be within two hours after. Which petition contained these words:

*"To the king's most excellent majesty: and the lords  
and peers now assembled in parliament.*

"The humble petition and protestation of all the  
bishops and prelates, now called by his majesty's writs to attend the parliament, and  
present about London and Westminster, for  
that service.

"That, whereas the petitioners are called up by  
several and respective writs, and under great  
penalties, to attend in parliament; and have a  
clear and indubitable right to vote in bills, and  
other matters whatsoever debatable in parliament,  
by the ancient customs, laws, and statutes of this  
realm; and ought to be protected by your majesty, quietly to attend, and prosecute that great  
service:

"They humbly remonstrate, and protest before  
God, your majesty, and the noble lords and  
peers now assembled in parliament; that as they  
have an indubitable right to sit and vote in the  
house of lords, so are they (if they may be protected from force and violence) most ready and  
willing to perform their duties accordingly; and  
that they do abominate all actions or opinions  
tending to popery, and the maintenance thereof;  
as also all propension and inclination to any  
malignant party, or any other side or party  
whatsoever, to the which their own reasons and  
consciences shall not move them to adhere.

"But, whereas they have been at several times  
violently menaced, affronted, and assaulted by  
multitudes of people, in their coming to perform  
their services in that honourable house; and  
lately chased away, and put in danger of their  
lives, and can find no redress, or protection, upon  
sundry complaints made to both houses in these  
particulars:

"They likewise humbly protest before your majesty, and the noble house of peers, that, saving  
to themselves all their rights and interests of  
sitting and voting in that house at other times,  
they dare not sit, or vote in the house of peers,  
until your majesty shall further secure them  
from all affronts, indignities, and dangers in the  
premises.

"Lastly, whereas their fears are not built upon  
fantasies and conceits, but upon such grounds  
and objects as may well terrify men of good resolutions, and much constancy; they do in all  
duty and humility protest, before your majesty,  
and the peers of that most honourable house of  
parliament, against all laws, orders, votes, resolutions, and determinations, as in themselves null,  
and of none effect, which in their absence, since  
the seven and twentieth of this instant month of  
December, 1641, have already passed; as likewise against all such, as shall hereafter pass in  
that most honourable house, during the time of

"this their forced and violent absence from their  
said most honourable house; not denying, but if  
their absenting themselves were wilful and voluntary, that most honourable house might proceed  
in all these premises, their absence, or this their  
protestation, notwithstanding.

"And humbly beseeching your most excellent  
majesty to command the clerk of that house of  
peers to enter this their petition and protestation  
amongst his records;

"They will ever pray, &c."

(Signed)

<i>Jo. Eborac.</i>	<i>Jo. Asaphen.</i>	<i>Ma. Ely.</i>
<i>Tho. Dunesme.</i>	<i>Guil. Ba. &amp; Wells.</i>	<i>Godfr. Glouc.</i>
<i>Rob. Cov. Lich.</i>	<i>Geo. Hereford.</i>	<i>Jo. Peterburgh.</i>
<i>Jo. Norwich.</i>	<i>Rob. Oron.</i>	<i>Mor. Llandaffe.</i>

It was great pity, that, though the archbishop's passion transported him, as it usually did; and his authority imposed upon the rest, who had no affection to his person, or reverence for his wisdom; his majesty did not take a little time to consider of it, before he put it out of his power to alter it, by putting it out of his hands. For it might easily have been discerned by those who were well acquainted with the humour, as well as the temper, of both houses, that some advantage and ill use would have been made of some expressions contained in it; and that it could produce no good effect. But the same motive and apprehension, that had precipitated the bishops to so hasty a resolution, (which was, that the house of peers would have made that use of the bishops being kept from the house, that they would in that time have passed the bill itself for taking away their votes,) had its effect likewise with the king; who had the same imagination, and therefore would lose no time in the transmission of it to the house; whereas the lords would never have made use of that very season, whilst the tumults still continued, for the passing an act of that importance; and the scandal, if not invalidity of it, would have been an unanswerable ground for the king to have refused his royal assent to it.

As soon as the protestation, which, no doubt, in the time before the house was to meet, had been communicated to those who were prepared to speak upon it, was delivered by the lord keeper, with his majesty's command, and read; the governing lords manifested a great satisfaction in it; some of them saying, "that there was *digitus Dei* to bring that to pass, which they could not otherwise have compassed;" and without ever declaring any judgment or opinion of their own upon it, which they ought to have done, the matter only having relation to themselves, and concerning their own members; they sent to desire a conference presently with the house of commons, upon a business of importance: and, at the conference, only read and delivered the protestation of the bishops to them; which, the lord keeper told them, he had received from the king's own hand, with a command to present it to the house [of peers]. The house of commons took very little time to consider of the matter, but, within half an hour, they sent up to the lords; and, without further examination, accused them all, who had subscribed the protestation, of high treason; and, by this means, they were all, the whole twelve of them, committed to prison; and remained in the Tower till the bill for the putting them out of the house

was passed, which was not till many months after.

When the passion, rage, and fury of this time shall be forgotten, and posterity shall find, amongst the records of the supreme court of judicature, so many orders and resolutions in vindication of the liberty of the subject, against the imprisoning of any man, though by the king himself, without assigning such a crime as the law hath determined to be worthy of imprisonment; and in the same year, by this high court, shall find twelve bishops, members of this court, committed to prison for high treason, for the presenting this protestation; men will surely wonder at the spirit of that reformation: and even that clause of declaring all acts null, which had been, or should be, done in their absence, in defence of which no man then durst open his mouth, will be thought both good law and good logic; not that the presence of the bishops in that time was so essential, that no act should pass without them; which had given them a voice, upon the matter, as negative as the king's; and themselves, in their instrument, disclaimed the least pretence to such a qualification; but because a violence offered to the freedom of any one member, is a violation to all the rest: as if a council consist of threescore, and the door to that council be kept by armed men, and all such, whose opinions are not liked, kept out by force; no doubt the freedom of those within is infringed, and all their acts as void and null, as if they were locked in, and kept without meat till they altered their judgments.

And therefore you shall find in the journals of the most sober parliaments, that, upon any eminent breach of their privileges, as always upon the commitment of any member for anything said or done in the house, sometimes upon less occasions, that house, which apprehended the trespass, would sit mute, without debating, or handling any business, and then adjourn; and this hath been practised many days together, till they had redress or reparation. And their reason was, because their body was lame; and what was befallen one member, threatened the rest; and the consequence of one act might extend itself to many other, which were not in view; and this made their privileges of so tender and nice a temper, that they were not to be touched, or in the least degree trenching upon; and therefore that in so apparent an act of violence, when it is not more clear that they were committed to prison, than that they durst not then sit in the house, and when it was lawful [in the house of peers] for every dissenter in the most trivial debate, to enter his protestation against that sense he liked not, though he were single in his opinion; that it should not be lawful for those, who could not enter it themselves, to present this protestation to the king, to whom they were accountable under a penalty for their absence; and unlawful to that degree, that it should render them culpable of high treason; and so forfeit their honours, their lives, their fortunes, expose their names to perpetual infamy, and their wives and children to penury, and want of bread; will be looked upon as a determination of that injustice, impiety, and horror, as could not be believed without those deep marks and prints of confusion, that followed and attended that resolution.

And yet the indiscretion of those bishops, swayed by the pride and insolence of that antiprelatical

archbishop, in applying that remedy at a time, when they saw all forms and rules of judgment impetuously declined; and the power of their adversaries so great, that the laws themselves submitted to their oppression; that they should, in such a storm, when the best pilot was at his prayers, and the card and compass lost, without the advice of one mariner, put themselves in such a cockboat, and to be severed from the good ship, gave that scandal and offence to all those who passionately desired to preserve their function, that they had no compassion, or regard of their persons, or what became of them; insomuch as in the whole debate in the house of commons, there was only one gentleman, who spake on their behalf, and said, "he did not believe they were guilty of high treason, but that they were stark mad; and therefore desired they might be sent to "Bedlam."

This high and extravagant way of proceeding brought no prejudice to the king; and though it made their tribunal more terrible to men who laboured under any guilt, yet it exceedingly lessened the reverence and veneration that generally was entertained for parliaments: and this last accusation and commitment of so many bishops at once, was looked upon by all sober men with indignation. For whatever indiscretion might be in the thing itself, though some expressions in the matter might be unskilful and unwarrantable, and the form of presenting and transmitting it irregular and unjustifiable, (for all which the house of peers might punish their own members, according to their discretion,) yet every man knew there could be no treason in it; and therefore the end of their commitment, and the use all men saw would be made of it, made it the more odious; and the members who were absent from both houses, which were three parts of four, and many of those who had been present, abhorred the proceedings, [and] attended the houses more diligently; so that the angry party, who were no more treated with, to abate their fury, would have been compelled to have given over all their designs for the alteration of the government both in church and state; if the volatile and unquiet spirit of the lord Digby had not prevailed with the king, contrary to his resolution, to have given them some advantage; and to depart from his purpose of doing nothing [without very mature deliberation].

Though sir William Balfour, who is mentioned before, (a Scotchman who had been many years lieutenant of the Tower of London, which had raised great murmur and repining in the whole English nation, which, as it had an unreasonable aversion to all that people, thought it a great reproach that so eminent a command should be conferred upon a stranger, which the whole city of London took most to heart,) had, from the beginning of this parliament, according to the natural custom of his country, forgot all his obligations to the king; and had made himself very gracious to those people, whose glory it was to be thought enemies to the court; and, whilst the earl of Strafford was his prisoner, did many offices not becoming the trust he had from the king, and ministered much of the jealousy, which they had of his majesty; upon which there had been a long resolution to remove him from that charge; but to do it with his own consent, that there might be no manifestation of displeasure; yet it was a very un-

seasonable conjuncture, which was taken to execute it in; paying him such a considerable sum of money as well pleased him; and this whole transaction was so secretly carried, that there was neither notice or suspicion of it, till it was heard, that sir Thomas Lunsford was sworn lieutenant of the Tower; a man, [who,] though of an ancient family in Sussex, was of a very small and decayed fortune, and of no good education; having been few years before compelled to fly the kingdom, to avoid the hand of justice for some riotous misdemeanour; by reason whereof he spent some time in the service of the king of France, where he got the reputation of a man of courage, and a good officer of foot; and in the beginning of the troubles here had some command in the king's army; but so much inferior to many others, and was so little known, except upon the disadvantage of an ill character, that, in the most dutiful time, the promotion would have appeared very ungrateful. He was utterly a stranger to the king, and therefore it was quickly understood to proceed from the single election of the lord Digby, to whom he was likewise very little known; who had in truth designed that office to his brother sir Lewis Dives, against whom there could have been no exception, but his relation: but he being not at that time in town, and the other having some secret reason (which was not a good one) to fill that place in the instant with a man who might be trusted; he suddenly resolved upon this gentleman, as one who would be faithful to him for the obligation, and execute any thing he should desire or direct; which was a reason, he might easily have foreseen, would provoke more powerful opposition; which error, as is said before, was repaired by the sudden change, and putting in sir John Byron; though it gave little satisfaction, and the less, by reason of another more inconvenient action, which changed the whole face of affairs, and caused this to be the more reflected upon.

In the afternoon of a day when the two houses sat, Herbert, the king's attorney, informed the house of peers, that he had somewhat to say to them from the king; and thereupon, having a paper in his hand, he said, that the king commanded him to accuse the lord Kimbolton, a member of that house, and five gentlemen, who were all members of the house of commons, of high treason; and that his majesty had himself delivered him in writing several articles, upon which he accused them; and thereupon he read in a paper these ensuing articles, by which the lord Kimbolton, Denzil Hollis, sir Arthur Haslerig, Mr. Pym, Mr. Hambden, and Mr. Strode, stood accused of high treason, for conspiring against the king and the parliament.

*Articles of high treason, and other misdemeanours, against the lord Kimbolton, Mr. Pym, John Hambden, Denzil Hollis, sir Arthur Haslerig, and William Strode, members of the house of commons.*

1. "That they have traitorously endeavoured to subvert the fundamental laws and government of this kingdom; and deprive the king of his regal power; and to place on his subjects an arbitrary and tyrannical power.

2. "That they have endeavoured, by many foul aspersions upon his majesty, and his government, to alienate the affections of his people, and to make his majesty odious to them.

3. "That they have endeavoured to draw his majesty's late army to disobedience to his ma-

“jesty's command, and to side with them in their traitorous design.

4. "That they have traitorously invaded, and encouraged a foreign power to invade his majesty's kingdom of England.

5. "That they have traitorously endeavoured to subvert the very rights and beings of parliament.

6. "That, for the completing of their traitorous designs, they have endeavoured, as far as in them lay, by force and terror to compel the parliament to join with them in their traitorous designs, and, to that end, have actually raised and countenanced tumults against the king and parliament.

7. "That they have traitorously conspired to levy, and actually have levied, war against the king."

The house of peers was somewhat appalled at this alarm; but took time to consider of it, till the next day, that they might see how their masters the commons would behave themselves; the lord Kimbolton being present in the house, and making great professions of his innocence; and no lord being so hardy to press for his commitment on the behalf of the king.

At the same time, a sergeant at arms demanded to be heard at the house of commons from the king; and being sent for to the bar, demanded the persons of the five members to be delivered to him in his majesty's name, his majesty having accused them of high treason. But the commons were not much surprised with the accident; for besides that they quickly knew what had passed with the lords, some servants of the king's, by especial warrant, had visited the lodgings of some of the accused members, and sealed up their studies and trunks; upon information whereof, before the sergeant came to the house, or public notice was taken of the accusation, an order was made by the commons; "That if any person whatsoever should come to the lodgings of any member of that house, and there offer to seal the doors, trunks, or papers of such members, or to seize upon their persons; that then such members should require the aid of the next constable, to keep such persons in safe custody, till the house should give further order: that if any person whatsoever should offer to arrest or detain any member of that house, without first acquainting that house therewith, and receiving further order from thence; that it should be lawful for such member to stand upon his guard, and make resistance, and [for] any person to assist him, according to the protestation taken to defend the privileges of parliament." And so, when the sergeant had delivered his message, he was no more called in; but a message sent to the king, "that the members should be forthcoming as soon as a legal charge should be preferred against them;" and so the house adjourned till the next day, every one of the accused persons taking a copy of that order, which was made for their security.

The next day in the afternoon, the king, attended only by his own guard, and some few gentlemen, who put themselves into their company in the way, came to the house of commons; and commanding all his attendants to wait at the door, and to give offence to no man; himself, with his nephew, the prince elector, went into the house, to the great amazement of all: and the speaker leaving the chair, the king went into it; and told the house, "he was sorry for that occasion of coming to them;

"that yesterday he had sent his sergeant at arms to apprehend some, that, by his command, were accused of high treason; whereunto he expected obedience, but instead thereof he had received a message. He declared to them, that no king of England had been ever, or should be, more careful to maintain their privileges, than he would be; but that in cases of treason no man had privilege; and therefore he came to see if any of those persons, whom he had accused, were there; for he was resolved to have them, wheresoever he should find them: and looking then about; and asking the speaker whether they were in the house, and he making no answer, he said, he perceived the *birds were all flown*, but expected they should be sent to him, as soon as they returned thither; and assured them in the word of a king, that he never intended any force, but would proceed against them in a fair and legal way;" and so returned to Whitehall.

The accused persons, upon information and intelligence what his majesty intended to do, how secretly soever it was carried at court, having withdrawn from the house about half an hour before the king came thither; the house, in great disorder, as soon as the king was gone, adjourned till the next day in the afternoon; the lords being in so great apprehension upon notice of the king's being at the house of commons, that the earl of Essex expressed a tender sense he had of the inconveniences which were like to ensue those divisions; and moved, "that the house of peers, as a work very proper for them, would interpose between the king and his people; and mediate to his majesty on the behalf of the persons accused;" for which he was reprehended by his friends, and afterwards laughed at himself, when he found how much a stronger defence they had, than the best mediation could prove on their behalf.

How secretly soever this affair was carried, it was evident that the king's [resolution of] coming to the house was discovered, by the members withdrawing themselves, and by a composedness, which appeared in the countenances of many, who used to be disturbed at less surprising occurrences; and though the purpose of accusing the members was only consulted between the king and the lord Digby; yet it was generally believed, that the king's purpose of going to the house was communicated to William Murray of the bed-chamber, with whom the lord Digby had great friendship; and that it was betrayed by him. And that lord, who had promised the king to move the house for the commitment of the lord Kimbolton, as soon as the attorney general should have accused him, (which if he had done would probably have raised a very hot dispute in the house, where many would have joined with him,) never spake the least word; but, on the contrary, seemed the most surprised and perplexed with the attorney's impeachment; and sitting at that time next to the lord Kimbolton, with whom he pretended to live with much friendship, he whispered him in the ear with some commotion, (as he had a rare talent in dissimulation,) "that the king was very mischievously advised; and that it should go very hard, but he would know whence that counsel proceeded; in order to which, and to prevent further mischief, he would go immediately to his majesty;" and so went out of the house.

Whereas he was the only person who gave the counsel, named the persons, and particularly named the lord Kimbolton, (against whom less could be said, than against many others, and who was more generally beloved,) and undertook to prove that he bade the rabble, when they were about the parliament-house, that they should go to Whitehall. And when he found the ill success of the impeachment in both houses, and how unsatisfied all were with the proceeding, he advised the king the next morning to go to the guildhall, and to inform the mayor and aldermen of the grounds of his proceeding; which will be mentioned anon. And that people might not believe, that there was any dejection of mind, or sorrow, for what was done; the same night, the same council caused a proclamation to be prepared for stopping the ports; that the accused persons might not escape out of the kingdom; and to forbid all persons to receive and harbour them: when it was well known, that they were all together in a house in the city, without any fear of their security. And all this was done without the least communication with any body, but the lord Digby, who advised it; and, it is very true, was so willing to take the utmost hazard upon himself, that he did offer the king, when he knew in what house they were together, with a select company of gentlemen, who would accompany him, whereof sir Thomas Lunsford was one, to seize upon them, and bring them away alive, or leave them dead in the place: but the king liked not such enterprises.

That night the persons accused removed themselves into their strong hold, the city: not that they durst not venture themselves at their old lodgings, for no man would have presumed to trouble them, but that the city might see, that they relied upon that place for a sanctuary of their privileges against violence and oppression; and so might put on an early concernment for them. And they were not disappointed; for, in spite of all the lord mayor could do to compose their distempers, (who, like a very wise and stout magistrate, bestirred himself,) the city was that whole night in arms; some people, designed to that purpose, running from one gate to another, and crying out, "that the *cavaliers* were coming to fire the city;" and some saying, "that the king himself was in the head of them."

The next morning, the king, being informed of much that had passed that night, according to the advice he had received, sent to the lord mayor to call a common council immediately; and about ten of the clock, himself, attended only by three or four lords, went to the guildhall; and in the room, where the people were assembled, told them, "he was very sorry to hear of the apprehensions they had entertained of danger; that he was come to them, to shew how much he relied upon their affections for his security and guard, having brought no other with him; that he had accused certain men of high treason, against whom he would proceed in a legal way; and therefore he presumed they would not shelter them in the city." And using many other very gracious expressions of his value of them, and telling one of the sheriffs, (who was of the two thought less inclined to his service,) "that he would dine with him," he departed without that applause and cheerfulness, which he might have expected from the extraordinary grace he vouch-

safed to them; and in his passage through the city, the rude people flocking together, and crying out, "Privilege of parliament, privilege of parliament;" some of them pressing very near his own coach, and amongst the rest one calling out with a very loud voice, "To your tents, O Israel." However the king, though much mortified, continued his resolution, taking little notice of the distempers; and, having dined at the sheriff's, returned in the afternoon to Whitehall; and published, the next day, a proclamation for the apprehension of all those, whom he accused of high treason, forbidding any person to harbour them; the articles of their charge being likewise printed and dispersed.

When the house of commons next met, none of the accused members appearing, they had friends enough, who were well enough instructed to aggravate the late proceedings, and to put the house into a thousand jealousies and apprehensions, and every slight circumstance carried weight enough in it to disturb their minds. They took very little notice of the accusing the members; but the king's coming to the house, which had been never known before, and declaring, "that he would take them wherever he found them, was an evidence, that he meant himself to have brought a force into the house, to apprehend them, if they had been there;" was looked upon as the highest breach of privilege that could possibly be imagined. They who spake most passionately, and probably meant as maliciously, behaved themselves with modesty, and seemed only concerned in what concerned them all; and concluded, after many lamentations, "that they did not think themselves safe in that house, till the minds of men were better composed; that the city was full of apprehensions, and was very zealous for their security; and therefore wished that they might adjourn the parliament to meet in some place in the city." But that was found not practicable; since it was not in their own power to do it, without the consent of the peers, and the concurrence of the king; who were both like rather to choose a place more distant from the city. And, with more reason, in the end they concluded, "that the house should adjourn itself for two or three days, and name a committee, which should sit both morning and afternoon in the city;" and all who came, to have voices: and Merchant-Tailors' hall was appointed for the place of their meeting; they who served for London undertaking, "that it should be ready against the next morning:" no man opposing or contradicting any thing that was said; they, who formerly used to appear for all the rights and authority which belonged to the king, not knowing what to say, and between grief and anger that the violent party had, by these late unskilful actions of the court, gotten great advantage, and recovered new spirits: and the three persons before named, without whose privy the king had promised that he would enter upon no new counsel, were so much displeased and dejected, that they were inclined never more to take upon them the care of any thing to be transacted in the house: finding already, that they could not avoid being looked upon as the authors of those counsels, to which they were so absolute strangers, and which they so perfectly detested.

And in truth, they had then withdrawn them-

selves from appearing often in the house, but upon the abstracted consideration of their duty and conscience, and of the present ill condition the king was in; who likewise felt within himself the trouble and agony which usually attends generous and magnanimous minds, upon their having committed errors, which expose them to censure and to damage. In fine, the house of commons adjourned for some days, to consult with their friends in the city; and the house of lords held so good correspondence with them, that they likewise adjourned to the same days they knew, by some intelligence, they intended to meet again. But the lords made no committee to sit in the city.

When the committee met the next morning at Merchant-Tailors' hall, where all who came were to have voices, and whither all did come at first, out of curiosity to observe what method they meant to proceed in, rather than expectation that they should be able to do any good there; they found a guard ready to attend them, of substantial citizens in arms, and a committee from the common council, to bid them welcome into the city; and to assure them, "that the city would take care, that they and all their members should be secured from violence; and to that purpose had appointed that guard to attend them, which should be always relieved twice a day, if they resolved to sit morning and afternoon;" and acquainted them further, "that the common council, in contemplation that they might stand in want of any thing, had likewise appointed a committee of so many aldermen, and such a number of the common council, which should always meet at a place named, at those hours, which that committee should appoint to meet at; to the end that, if any thing were to be required of the city, they might still know their pleasure, and take care that it should be obeyed." And thus they had provided for such a mutual communication and confederacy, that they might be sure always to be of one mind, and the one to help the other in the prosecution of those designs and expedients, which they should find necessary to their common end: the committee of the city consisting of the most eminent persons, aldermen and others, for their disaffection to the government of church and state.

At their first sitting, the committee began with the stating the manner of the king's coming to the house, and all he did there; the several members mentioning all that they would take upon them to remember of his majesty's doing or speaking, both as he came to the house, and after he was there; some of them being walking in Westminster-hall when the king walked through, and so came to the house with him, or near him; others reporting what they had heard some of the gentlemen, who attended his majesty, say, as they passed by; every idle word having its commentary; and the persons, whoever were named, being appointed to attend; they having power given them to send for all persons, and to examine them touching that affair. Nor had any man the courage to refuse to obey their summons; so that all those of the king's servants, who were sent for, appeared punctually at the hour that was assigned them; and were examined upon all questions, which any one of the committees would propose to them, whereof many were very impertinent, and of little respect to the king.

It was very well known where the accused persons were, all together in one house in Coleman-street, near the place where the committee sat; and whither persons trusted passed to and fro to communicate and receive directions; but it was not seasonable time for them yet to appear in public, and to come and sit with the committee, or to own the believing that they thought themselves safe from the violence and the assaults of the court; the power whereof they exceedingly contemned, whilst they seemed to apprehend it: nor was it yet time to model in what manner their friends in the city and the country should appear concerned for them; in preparing whereof no time was lost.

Against the time the house was to meet, the first adjournment not being for above two or three days, the committee had prepared matter enough for a report; a relation of all they had discovered upon their examinations, and such votes as they thought fit to offer upon the breach of their privilege; that they might thereby discover the affections of the house, of which they could not yet take any measure, since there had been no debate since those accidents, which could discover the general temper; which they well enough knew was not before to their advantage. In the mean time, they used all the ways they could to asperse those, who used to oppose them, as the contrivers of the late proceedings; and were willing they should know it; which they imagined would restrain them from taking the same liberty they had used to do.

And so at their meeting in the house, upon the report of the committee, they declared, "That the king's coming to the house, and demanding the persons of divers members thereof to be delivered unto him, was a high breach of the rights and privileges of parliament, and inconsistent with the liberty and freedom thereof: and therefore that they could not with the safety of their own persons, or the indemnity of the rights and privileges of parliament, sit there any longer, without a full vindication of so high a breach, and a sufficient guard, wherein they might confide; and for that reason did order, that their house should be again adjourned for four days; and that the committee should meet in the same place, to consider and resolve of all things, that might concern the good and safety of the city, and the kingdom; and particularly how their privileges might be vindicated, and their persons secured; and should have power to consult and advise with any person or persons, touching the premises." And this order and declaration being made, they adjourned; the last clause being intended to bring their members to them.

At the meeting of the house, the committee had informed them, first of the great civilities they had received from the city in all the particulars, that they might have order to return the thanks of the whole house, which they easily obtained; and, at their return, they took more examinations than they had formerly; by which they made a fuller relation of the king's coming to the house, and his carriage and words there. And because it was visible to all men, that the king was so far from bringing any force with him, which they desired should be believed, that he had only his guard of halberdiers, and fewer of them than used to go with him upon any ordinary motion; and that fewer of his gentlemen servants were then with

him, than usually attended him when he went but to walk in the park; and had only their little swords; they were very punctual in mentioning any light or loose words, which had fallen from any man, that it might be believed that there was more in the matter. As they carefully inserted in their relation, that one of the waiters, as he walked very near his majesty through the hall, said, "he had a good pistol in his pocket;" and that another, as they were walking up the stairs towards the house of commons, called out, *Fall on*; from which they would have it believed, that there had been very bloody intentions.

Then they offered some votes to be offered to the house, in which they voted "the relation, which was made, to be true; and thereupon, that the king's coming to the house in that manner was the highest breach of the privilege of parliament that could be made; and that the arresting, or endeavouring to arrest, any member of parliament, was a high breach of their privilege; and that the person, who was so arrested, might lawfully rescue and redeem himself; and that all who were present, and saw the privilege of parliament so violated, might and ought to assist the injured person in his defence, and to procure his liberty with force." And these votes the house confirmed, when they were reported: though, in the debate, it was told them, "that they must take heed, that they did not, out of tenderness of their privilege, which was and must be very precious to every man, extend it further than the law would suffer it to be extended: that the house had always been very severe upon the breach of any of their privileges, and in the vindicating those members, who were injured; but that the disposing men to make themselves judges, and to rescue themselves or others, might be of evil consequence, and produce ill effects; at least if it should fall out to be, that the persons were arrested for treason, or felony, or breach of the peace; in either of which cases, there could be no privilege of parliament." This, though a known truth to any, who knew any thing of the law, was received with noise and clamour, and with wonderful evidence of dislike, and some faint contradictions, "that no such thing ought to be done whilst a parliament was sitting;" and then, falling upon the late action of the king, and the merit of those persons, and without much contradiction, which was found to be ungrateful, the house confirmed all that the committee had voted; and then adjourned again for some days, and ordered the committee to meet again in the city; which they did morning and afternoon, and prepared other votes of a brighter alloy, and more in the face of the king and the law, every day adding to the fury and fierceness of the precedent; and the house met and sat, only to confirm the votes which were passed by the committee, and to prosecute such matters as were by concert brought to them, by petition from the city; which was ready to advance any thing they were directed: and so, whilst the members yet kept themselves concealed, many particulars of great importance were transacted in those short sittings of the house.

The king about this time, having found the inconvenience and mischief to himself of having no servant of interest and reputation, and who took his business to heart, in the house of commons,



had made the lord Falkland and sir John Colepepper, both members of that house, and of unblemished reputations and confessed abilities, of his privy-council; and the one, the lord Falkland, his principal secretary of state, and sir John Colepepper, chancellor of the exchequer; as is said before. And so, having now gotten two counsellors about him, who durst trust one another, and who were both fit to be trusted by him, which he had been without above a year past, to his and the kingdom's irreparable disadvantage; he thought fit to publish a declaration to all his subjects, in answer to the remonstrance he had lately received from the house of commons, and was dispersed throughout the kingdom. In which, without the least sharpness or return of that language he had received, he took notice "of the fears and jealousies," (for those were the new words, which served to justify all indispositions, and to excuse all disorders,) "which made impression in the minds of his people, with reference to their religion, their liberty, or their civil interests."

"For religion, he observed the fears to be of two sorts; either as ours here established might be invaded by the Romish party; or as it was accompanied with some ceremonies, at which some tender consciences really were, or pretended to be, scandalized. For the first, as there might be any suspicion of favour or inclination to the papists, he said, he was willing to declare to all the world, that, as he had been brought up from his childhood in, and practised that religion, which was established in the church of England; so he believed he could, having given a good part of his time and pains to the examination of the grounds of it, as it differed from that of Rome, maintain the same by unanswerable reasons; and hoped he should be ready to seal it by the effusion of his blood, if it should please God to call him to that sacrifice: and that nothing could be so acceptable to him, as any proposition, which might contribute to the advancement of it here, as [well as] the propagation of it abroad; being the greatest means to draw down a blessing from God upon himself, and this nation; and if this profession of his was wanting to his people, he thought himself extremely unfortunate, for that his constant practice in his own person had always been, without ostentation, as much to the evidence of his care and duty therein, as he could possibly tell how to express."

"For matters of ceremony, he said, he would, in tenderness to any number of his loving subjects, be willing to comply with the advice of his parliament, that some law should be made for the exemption of tender consciences from punishment or prosecution for such ceremonies; and in such cases, which by the judgment of most men are held to be matters indifferent, and of some to be absolutely unlawful. Provided that that case should be attempted, and pursued with that modesty, temper, and submission, that in the mean time the peace and quiet of the kingdom should not be disturbed, the decency and comeliness of God's service [not] discountenanced, nor the pious, sober, and devout actions of those reverend persons, who were the first labourers in the blessed reformation, or of that time, be scandalized and defamed. For, he said, he could not, without grief of heart, and

"without some tax upon himself and his ministers for the not execution of the laws, look upon the bold license of some men in printing of pamphlets, in preaching and printing of sermons so full of bitterness and malice against the present government, against the laws established; so full of sedition against his own person, and the peace of the kingdom; that he was many times amazed to consider by what eyes those things were seen, and by what ears they were heard."

"Concerning the civil liberties and interests of the subjects, he said, he should need say the less, having erected so many lasting monuments of his princely and fatherly care of his people, in those excellent laws passed by him this parliament; which, with very much content to himself, he said, he conceived to be so large and ample, that very many sober men had very little left to wish for of that kind. He told them, he very well understood the rights and particular advantages, he had departed from in many of the acts he had passed; and therefore he had reason to hope, as he had taken all occasions to render their condition most comfortable and happy; so they would, in grateful and dutiful relation, be always ready with equal tenderness and alacrity to advance his rights, and preserve his honour, upon which their own security and subsistence so much depended; and no particular should be presented unto him for the completing and establishing that security, to the which he would not with the same readiness contribute his best assistance. He said, if those resolutions were the effects of his present counsels, and he took God to witness that they were such, and that his subjects might confidently expect the benefit of them from him, certainly no ill design upon the public could accompany such resolutions; neither could there be great cause of suspicion of any persons preferred by him to degrees of honour, and places of trust and employment, since this parliament: and therefore, that amongst his misfortunes he reckoned it not the least, that, having not retained in his service, nor protected any one person, against whom the parliament had excepted, during the whole sitting of it; and having in all that time scarce vouchsafed to any man an instance of his favour or grace, but to such who were under some eminent character of estimation amongst the people, there should so soon be any misunderstanding or jealousy of their fidelity and uprightness; especially in a time, when he took all occasions to declare, that he conceived himself only capable of being served by honest men, and in honest ways."

"However, if he had been mistaken in such his election, the particular should no sooner be discovered to him, either by his own observation, or other certain information, than he would leave them to public justice, under the marks of his displeasure. If, notwithstanding this, any malignant party should take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambitions, under what pretence of religion and conscience soever; if they should endeavour to lessen his reputation and interest, and to weaken his lawful power and authority with his good subjects; if they should go about, by discountenancing the present laws, to loosen the bonds



"of government, that all disorder and confusion might break in; he doubted not, but God in his good time would discover them; and the wisdom and courage of his high court of parliament join with him in their suppression and punishment.

"Having said all he could, to express the clearness and uprightness of his intentions, and done all he could to manifest those intentions, he said, he could not but confidently believe, all his good subjects would acknowledge his part to be fully performed, both in deeds past, and present resolutions to do what with justice might be required of him; and that their quiet and prosperity now depended wholly on themselves, and was in their own power, by yielding all obedience and due reverence to the law; which is the inheritance of every subject, and the only security he can have for his life, liberty, and estate; and the which being neglected or disesteemed, under what specious shows soever, a great measure of infelicity, if not an irreparable confusion, must without doubt fall upon them. And he doubted not, it would be the most acceptable declaration a king could make to his subjects, that he was not only resolved to observe the laws himself, but to maintain them against what opposition soever, though with the hazard of his being. He hoped the loyalty and good affections of all his subjects would concur with him in the constant preserving a good understanding between him and his people; and that their own interest, and compassion of the lamentable condition of the poor protestants in Ireland, would invite them to a fair intelligence and unity amongst themselves; that so they might, with one heart, intend the relieving and recovering that unhappy kingdom; where those barbarous rebels practised such inhuman and unheard of outrages upon the miserable people, that no Christian ear could hear without horror, or story parallel. He concluded with conjuring all his good subjects, of what degree or quality soever, by all the bonds of love, duty, and obedience, that are precious to good men, to join with him for the recovery of the peace of that kingdom, and the preservation of the peace of this; to remove all the doubts and fears which might interrupt their affection to him, and all their jealousies and apprehensions, which might lessen their charity to each other; and then, he said, if the sins of the nation had not prepared an inevitable judgment for all, God would make him a great and a glorious king over a free and a happy people."

Though this declaration had afterwards a very good influence upon the people to his majesty's advantage, yet for the present it gave no allay to their distempers. Their seditious ministers were despatched to inflame the neighbour counties, and all possible art was used to inflame the city of London; which prevailed so far, that, notwithstanding all the opposition the lord mayor of London, the recorder, and the gravest and most substantial aldermen could make, the major part of the common council prevailed to send a petition to the king, in the name of the mayor, aldermen, and common council of the city of London; which was the next Sunday morning delivered to him, with great solemnity, at Whitehall, by a number chosen of that body; representing "the great dangers, fears, and distractions,

"the city then was in, by reason of the prevailing progress of the bloody rebels of Ireland; the putting out of persons of honour and trust from being constable and lieutenant of the Tower, especially in those times, and the preparations there lately made; the fortifying Whitehall with men and munition in an unusual manner; some of which men abused and wounded divers citizens passing by; the calling in divers cannoniers, and other assistance into the Tower; the discovery of divers fireworks in the hands of a papist, and the misunderstanding between his majesty and the parliament. That their fears were exceedingly increased by his majesty's late going into the house of commons, attended by a great multitude of armed men, for the apprehending of divers members of that house, to the endangering his own person, and the persons and privileges of that honourable assembly. That the effects of those fears tended not only to the overthrow of the whole trade of that city and kingdom, which they felt already in a deep measure, but threatened the utter ruin of the protestant religion, and the lives and liberties of all his subjects; and therefore they prayed his majesty, that, by the advice of his great council in parliament, the protestants in Ireland might be speedily relieved; the Tower put into the hands of persons of trust; that, by removal of doubtful and unknown persons from about Whitehall and Westminster, a known and approved guard might be appointed for the safety of his majesty and the parliament; and that the lord Kimbolton, and the five members of the house of commons lately accused, might not be restrained of liberty, or otherwise proceeded against, than according to the privileges of parliament."

The king very well understood from what spirit this petition proceeded, and the inconvenience of giving so much countenance to it, as the very receiving it was, if he could have avoided it. But the torrent was too strong to be resisted by any direct strength he could raise against it; and therefore he resolved to endeavour to divide and reduce them, by the most gracious descending to their pretended fears and apprehensions; and the same day gave them this answer; "That, for the sad business of Ireland, he could not possibly express a greater sense than he had done, there being nothing left on his part unoffered, or undone. For the Tower, he wondered that, having removed a servant of trust from that charge, only to satisfy the fears of the city, and put in another of unquestionable reputation and known ability, the petitioners should still entertain those fears; and whatever preparation of strength was there made, was with as great an eye of safety and advantage to the city, as to his own person, and should be equally employed to both.

"For the fortifying Whitehall with men and munition in an unusual way, he doubted not, they had observed the strange provocation he had received to entertain that guard; that, by the disorderly and tumultuous conflux of people at Westminster and Whitehall, his great council was not only disquieted, but his own royal person in danger most seditious language being uttered even under his own windows. And if any citizens had been wounded, or ill treated, he was confidently assured, that it had hap-

"pended by their own evil and corrupt demean-  
"ours. For the fireworks in the hands of a papist,  
"he knew nothing, nor understood whom, or  
"what they meant.

"For his going to the house of commons,  
"when his attendants were no otherwise armed  
"than as gentlemen with swords, he was per-  
"suaded, that if they knew the clear grounds,  
"upon which those persons stood accused of high  
"treason, and what would be proved against  
"them, with which they should be in due time  
"acquainted, and considered the gentle way he  
"took for their apprehension, (which he preferred  
"before any course of violence, though that way  
"had been very justifiable; since it was noto-  
"riously known, that no privilege of parliament  
"can extend to treason, felony, or breach of the  
"peace,) they would believe his going thither was  
"an act of grace and favour to that house, and  
"the most peaceable way of having that necessary  
"service performed; there being such orders  
"made for the resistance of what authority soever  
"for their apprehension: and for the proceedings  
"against those persons, he ever intended the same  
"should be with all justice and favour, according  
"to the laws and statutes of the realm; to the  
"which all innocent men would cheerfully submit.  
"And that extraordinary way of satisfying a pe-  
"tition of so unusual a nature, he said, he was  
"confident would be thought the greatest instance  
"could be given of his clear intentions to his  
"subjects; and of the singular esteem he had of  
"the good affections of that city, which he hoped  
"in gratitude would never be wanting to his just  
"commands and service."

It was no wonder that they, who at such a time  
could be corrupted to frame and deliver such a  
petition, would not be reformed by such an an-  
swer. Neither will it be here unseasonable, to  
spend a little time in considering how the affec-  
tions and tempers of so rich and opulent a city,  
which could naturally expect to prosper only  
by peace and agreement, were wrought upon  
and transported to that degree, as to be the only in-  
struments of its own and the kingdom's destruction.

The city of London, as the metropolis of Eng-  
land, by the situation the most capable of trade,  
and by the most usual residence of the court,  
and the fixed station of the courts of justice  
for the public administration of justice through-  
out the kingdom, the chief seat of trade, was,  
by the successive countenance and favour of  
princes, strengthened with great charters and im-  
munities, and was a corporation governed within  
itself; the mayor, recorder, aldermen, sheriffs,  
chosen by themselves; several companies incor-  
porated within the great corporation; which, be-  
sides notable privileges, enjoyed lands and perqui-  
sites to a very great revenue. By the incredible  
increase of trade, which the distractions of other  
countries, and the peace of this, brought, and by  
the great license of resort thither, it was, since the  
access of the crown to the king, in riches, in peo-  
ple, in buildings, marvellously increased, inas-  
much as the suburbs were almost equal to the city;  
a reformation of which had been often in contem-  
plation, never pursued, wise men foreseeing that  
such a fulness could not be there, without an em-  
ptiness in other places; and whilst so many per-  
sons of honour and estates were so delighted with  
the city, the government of the country must be

neglected, besides the excess, and ill husbandry,  
that would be introduced thereby. But such  
foresight was interpreted a morosity, and too great  
an oppression upon the common liberty; and  
so, little was applied to prevent so growing a  
disease.

As it had these and many other advantages and  
helps to be rich, so it was looked upon too much  
of late time as a common stock not easy to be  
exhausted, and as a body not to be grieved by  
ordinary acts of injustice; and therefore, it was  
not only a resort, in all cases of necessity, for the  
sudden borrowing great sums of money, in which  
they were commonly too good merchants for the  
crown, but it was thought reasonable, upon any  
specious pretences, to void the security, that was  
at any time given for money so borrowed.

So after many questionings of their charter,  
which were ever removed by considerable sums of  
money, a grant made by the king in the beginning  
of his reign, (in consideration of great sums of  
money,) of good quantities of land in Ireland, and  
the city of Londonderry there, was avoided by a  
suit in the star-chamber; all the lands, after a vast  
expense in building and planting, resumed into the  
king's hands, and a fine of fifty thousand pounds  
imposed upon the city. Which sentence being  
pronounced after a long and public hearing, during  
which time they were often invited to a composi-  
tion, both in respect of the substance, and the  
circumstances of proceeding, made a general im-  
pression in the minds of the citizens of all con-  
ditions, much to the disadvantage of the court;  
and though the king afterwards remitted to them  
the benefit of that sentence, they imputed that to  
the power of the parliament, and rather remem-  
bered how it had been taken from them, than  
by whom it was restored: so that, at the beginning  
of the parliament, the city was as ill affected to  
the court as the country was; and therefore chose  
such burgesses to sit there, as had either eminently  
opposed it, or accidentally been oppressed by it.

The chief government and superintendency of  
the city is in the mayor and aldermen; which, in  
that little kingdom, resembles the house of peers;  
and as subordinate the common council is the  
representative body thereof, like the house of com-  
mons, to order and agree to all taxes, rates, and  
such particulars belonging to the civil policy. The  
common council are chosen every year, so many  
for every parish, of the wisest and most substantial  
citizens, by the vestry and common convention of  
the people of that parish; and as the wealthiest  
and best reputed men were always chosen, so,  
though the election was once a year, it was scarce  
ever known, that any man once chosen was after-  
wards rejected or left out, except upon discovery  
of an enormous crime, or decaying in fortune to a  
bankrupt; otherwise, till he was called to be alder-  
man, or died, he continued, and was every year  
returned of the common council.

After the beginning of this parliament, when  
they found by their experience in the case of the  
earl of Strafford, of what consequence the city  
might be to them, and afterwards found, by the  
courage of the present lord mayor, sir Richard  
Gourney, who cannot be too often nor too honour-  
ably mentioned, that it might be kept from being  
disposed by them; and that the men of wealth  
and ability, who at first had concurred with them,  
began now to discern that they meant to lead them

further than they had a mind to go; they directed their confidants, that at the election of the common councilmen by the concurrence and number of the meaner people, all such who were moderate men, and lovers of the present government, should be rejected; and in their places men of the most active and pragmatical heads, of how mean fortunes soever, should be elected: and by this means all that body consisted of upstart, factious, indigent companions, who were ready to receive all advertisements and directions from those who steered at Westminster, and as forward to encroach upon their superiors, the mayor and aldermen, as the other was upon the house of peers. And so this firebrand of privilege inflamed the city at that time.

That they might gratify the city in procuring a better answer than they had received from the king to their petition, and that they might more expose his majesty to their affronts, the house resumed the business of the Tower again, with the old reflections upon the remove of the former good lieutenant, and the putting in a rude person, and of a desperate fortune, that he might use such prisoners, as there was an intent to send thither, in such a manner as he should be directed; and that the person, who was since put in, had put the city into great apprehensions, by the observation that was made, that he took great store of provisions into the Tower, as if he made provision for a greater garrison, which raised great jealousies; and there was a petition brought, and delivered to the houses in the names of several merchants who used to trade to the mint; and they desired that there might be such a person made lieutenant of the Tower, "as they could confide in," (an expression that grew from that time to be much used,) without which no man would venture bullion into the mint, and by consequence no merchant would bring it into the kingdom. Whereas in truth there was no gentleman of the kingdom of a better reputation amongst all sorts of men, and there had been more bullion brought into the mint in the short time of his being lieutenant, than had been in many months before: and amongst those persons, which so solemnly delivered that petition, and had all subscribed it, there were very few who had ever sent any silver into the mint. However, the house entertained the complaint as very reasonable, and sent for a conference with the lords, with whom they prevailed to join with them in a desire to the king, "that he would remove sir John Byron from being lieutenant of the Tower;" which the king for some time refused to do, till they pressed it in another manner, which shall be mentioned anon.

The committee, that still continued to sit in London, intended no other business, but their own privileges; sent for, and examined, as hath been said, all men who had attended his majesty, or had been casually present in the hall, or at the door of the commons' house, when the king was there: and all such examinations, as testified any extravagant discourse uttered by any loose fellow, who had accidentally put himself into the company, though it appeared he had no relation to the king's service, were carefully entered, and published; but such as declared the king's strict command against any violence or disorder, and his positive charge, that no man should presume to follow him into the house of commons, (as full proof was made to

them of those particulars,) were as carefully suppressed and concealed.

The sheriffs of London were directed to appoint a guard to attend the committee, whilst it should continue at Guildhall; and then to guard the houses when they should again sit at Westminster. The accused persons, who lodged all this time in the city, were brought to the committee with much state, and sat with them to devise some way to vindicate themselves.

Then a declaration was agreed upon by the commons only, in which was set forth, "that the chambers, studies, and trunks of Mr. Hollis, sir Arthur Haslerig, Mr. Pym, Mr. Hambden, and Mr. Strode, had been by colour of his majesty's warrant sealed up; which was not only against the privilege of parliament, but the common liberty of every subject; that the said members had been the same day demanded by a sergeant at arms to be delivered to him, that he might arrest them of high treason; that the next day his majesty came to the house in his own person, attended by a multitude of armed men, in a warlike manner, with halberds, swords, and pistols, who came up to the very door of the house, and placed themselves there, and in other places and passages near to the house, to the great terror and disturbance of the members then sitting; that his majesty, sitting in the speaker's chair, demanded the persons of those members to be delivered to him; which was a high breach of the rights and privileges of parliament, and inconsistent with the liberties and freedom thereof; that afterwards his majesty did issue forth several warrants to divers officers under his own hand, for the apprehension of their persons, which by law he could not do." And thereupon they declared, "that if any person should arrest Mr. Hollis, &c. or any other member of parliament, by pretence of any warrant issuing out from the king, he was guilty of the breach of the privilege of parliament, and a public enemy of the commonwealth; and that the arresting any member of parliament, by any warrant whatsoever, without consent of that house, whereof he is a member, is a breach of the privilege of parliament: and the person that shall so arrest him is declared a public enemy of the commonwealth."

They published, "that it did fully appear by several examinations, that many soldiers, papists and others, to the number of about five hundred, came with his majesty to the house of commons, armed; and that some of them, holding up their pistols cocked near the door of the house, which they kept open, said, I am a good marksman; I can hit right, I warrant you: and said, they would have the door open; and if any opposition was made, they made no question but they should maintain their party; and that some said, A pox take the house of commons; let them be hanged. And when the king returned from the house, they expressed great discontent, asking, when comes the word: that some of them being demanded what they thought the company intended to have done, answered, that questionless in the posture they were set, if the word had been given, they should have fallen upon the house of commons, and have cut all their throats: upon which they said they were of opinion, that the soldiers and papists coming in that manner

"with his majesty was to take away some of the members of the house; and if they should have found opposition, or denial, then to have fallen upon the house in a hostile manner."

And they did thereupon declare, "That the same was a traitorous design against the king and parliament. And whereas the persons accused had, with the approbation of the house, absented themselves from the service of the house, for avoiding the great and many inconveniences, which otherwise might have happened; since which time, a printed paper in the form of a proclamation had issued out for the apprehending and imprisoning them, suggesting, that through the conscience of their guilt they were absent and fled;" they did further declare, that the said printed paper was false, scandalous, and illegal; and that notwithstanding that printed paper, or any warrant issued out, or any other matter against them, they might and ought [to] attend the service of the house, and the committees then on foot; and that it was lawful for all persons whatsoever to lodge, harbour, or converse with them; and whosoever should be questioned for the same should be under the protection and privilege of parliament."

And they declared, "That the publishing the articles of high treason against the persons accused, was a high breach of the privilege of parliament, a great scandal to his majesty and his government, a seditious act, manifestly tending to the subversion of the peace of the kingdom, and an injury and dishonour to the members; that the privileges of parliament, and liberties of the subject, so violated and broken, could not be fully and sufficiently vindicated, unless the king would be graciously pleased to discover the names of those persons, who advised him to do the particular acts before mentioned, that they might receive condign punishment."

This strange declaration, so contrary to the known rules and judgments of law, and to the known practice and proceedings of parliament, was no sooner framed and agreed upon in the committee, than it was printed, and published throughout the city and kingdom, before it was confirmed by, or reported to the house; which is against the law, and an express statute in that case provided, that no act done at any committee should be divulged before the same be reported to the house.

The truth is, it cannot be expressed how great a change there appeared to be in the countenance and minds of all sorts of people, in town and country, upon these late proceedings of the king. They, who had before even lost their spirits, having lost their credit and reputation, except amongst the meanest people, who could never have been made use of by them, when the greater should forsake them; and so despairing of ever being able to compass their designs of malice, or ambition, (some of them were resuming their old resolutions of leaving the kingdom,) now again recovered greater courage than ever, and quickly found that their credit and reputation was as great as ever it had been; the court being reduced to a lower condition, and to more disesteem and neglect, than ever it had undergone. All that they had formerly said of plots and conspiracies against the parliament, which had before been laughed at, was now

thought true and real; and all their fears and jealousies looked upon as the effects of their great wisdom and foresight. All that had been whispered of Ireland was now talked aloud and printed; as all other seditious pamphlets and libels were. The shops of the city generally shut up, as if an enemy were at their gates ready to enter, and to plunder them; and the people in all places at a gaze, as if they looked only for directions, and were then disposed to any undertaking.

On the other side, they who had, with the greatest courage and alacrity, opposed all their seditious practices, between grief and anger were confounded with the consideration of what had been done, and what was like to follow. They were far from thinking that the accused members had received much wrong; yet they thought it an unreasonable time to call them to account for it. That if any thing had been to be done of that kind, there should have been a better choice of the persons, there being many of the house, of more mischievous inclinations, and designs against the king's person and the government, and were more exposed to the public prejudice, than the lord Mandeville Kimbolton was; who was a civil and well natured man, and had rather kept ill company, than drank deep of that infection and poison, that had wrought upon many others. Then sir Arthur Haslerig and Mr. Strobe were persons of too low an account and esteem; and though their virulence and malice was as conspicuous and transcendent as any men's, yet their reputation and interest to do any mischief, otherwise than in concurring in it, was so small, that they gained credit and authority by being joined with the rest, who had indeed a great influence. However, if there was a resolution to proceed against those men, it would have been much better to have caused them to have been all severally arrested, and sent to the Tower, or to other prisons, which might have been very easily done before suspected, than to send in that manner to the houses with that formality, which would be liable to so many exceptions. At least, they ought so far to have imparted it to members in both houses, who might have been trusted, that in the instant of the accusation, when both houses were in that consternation, (as in a great consternation they were,) somewhat might have been pressed confidently towards the king's satisfaction; which would have produced some opposition and contradiction, which would have prevented that universal concurrence and dejection of spirit, which seized upon and possessed both houses.

But, above all, the anger and indignation was very great and general, that to all the other oversights and presumptions [was added] the exposing the dignity, and majesty, and safety of the king, in his coming in person, in that manner, to the house of commons; and in going the next day, as he did, to the guildhall, and to the lord mayor's, which drew such reproaches upon him to his face. All which was justly imputed to the lord Digby, who had before fewer true friends than he deserved, and had now almost the whole nation his enemies, being the most universally odious of any man in it.

When the house of commons had passed such votes from the committee at Merchant-Tailors' hall, as they thought necessary, and once more adjourned thither, the committee asked the advice

of the house, whether the accused members might be present with them, (who had in truth directed and governed all their proceedings from the time they sat there :) which was not only approved, but those members required to attend the house the next day it was to sit, and so to continue the service of the house, which was then adjourned for three or four days, that the city might appear in such a posture, as should be thought convenient.

The noise was so great of the preparations made in the city to bring the accused members in triumph to the parliament, and that the whole militia would accompany them, whilst the seamen and mariners made an appearance in barges, and other vessels, upon the Thames to Westminster, [that] the king thought it convenient to remove again from Whitehall; and so on the tenth of January, which was the eve to the great festival, his majesty, the queen, and the royal children, went from Whitehall to Hampton-court, attended by some few of their own household servants, and thirty or forty of those officers, who had attended at Whitehall for security against the tumults.

Before his going, he sent to the earls of Essex and Holland to attend him in his journey; who were both by their places, the one being his chamberlain of his household, the other the prime gentleman of his bedchamber, obliged to that duty. The earl of Essex resolved to go; and to that purpose was making himself ready, when the earl of Holland came to him, and privately dissuaded him; assuring him, that if they two went, they should be both murdered at Hampton-court: whereupon they left the king to his small retinue and in a most disconsolate, perplexed condition, in more need of comfort and counsel, than they had ever known him; and, instead of attending their master in that exigent, they went together into the city, where the committee sat, where they were not the less welcome for being known to have been invited to have waited upon their majesties. They who wished the king best, were not sorry that he then withdrew from Whitehall; for the insolence, with which all that people were transported, and the animosity, which was infused into the hearts of the people in general against the court, and even against the person of the king, cannot be expressed.

Whilst the committee sat in London, the common council likewise met, [as hath been said,] to the end they might be ready to comply in any particulars should be desired from the city; and so the committee having resolved, "that the actions of the citizens of London, or of any other person whatsoever for the defence of the parliament, or the privileges thereof, or the preservation of the members thereof, were according to their duty, and to their late protestation, and the laws of this kingdom:" and if any person should arrest or trouble any of them for so doing, he was declared "to be a public enemy of the commonwealth:" and in the next place having resolved, "that that vote should be made known to the common council of the city of London," the accused members about two of the clock in the afternoon on the eleventh of January, being the next day after the king went to Hampton-court, came from their lodgings in the city to Westminster, guarded by the sheriffs, and trained-bands of London and Westminster, and attended by a conflux of many thousands of people besides, making

a great clamour against bishops and popish lords, and of the privileges of parliament; some of them, as they passed by Whitehall, asking, with much contempt, "what was become of the king and his cavaliers? and whither he was gone?"

From London-bridge to Westminster, the Thames was guarded with above one hundred lighters and long-boats, laden with nablettes and murderers, and dressed up with waist-clothes and streamers, as ready for fight. And that the trained-bands of London might be under the command of a person fit to lead them, they granted a commission to captain Skippon, who was captain of the artillery-garden, to be major-general of the militia of the city of London; an office never before heard of, nor imagined that they had authority to constitute such an officer. The man had served very long in Holland, and from a common soldier had raised himself to the degree of a captain, and to the reputation of a good officer: he was a man of order and sobriety, and untainted with any of those vices, which the officers of that army were exercised in; and had newly given over that service upon some exceptions he had to it; and, coming to London, was by some friends preferred to that command in the artillery-garden, which was to teach the citizens the posture of their arms. He was altogether illiterate, and having been bred always in Holland, he brought disaffection enough with him from thence against the church of England, and so was much caressed and trusted by that party.

This man marched that day in the head of their army to the parliament-house; where the accused members were no sooner entered, than they magnified "the great kindness and affection they had found in the city, and their zeal to the parliament; and if their expressions of it, upon this extraordinary occasion, had been somewhat unusual, that the house was engaged in honour to protect and defend them from receiving any damage." Whereupon the sheriffs of London were called into the house of commons, and thanked by the speaker for their extraordinary care, and love expressed to the parliament; and told, "that they should have an ordinance of parliament for their indemnity, declaring that all their actions of respect and kindness, which they had shewed to the lords and commons in London, and their attending them to and at Westminster, was legal and justifiable." The masters and officers of ships were likewise called in, and most heartily thanked for their kindness; and sergeant-major-general Skippon appointed every day to attend at Westminster, with such a guard as he thought sufficient for the guard of the two houses. There was one circumstance not to be forgotten in the march of the city that day, when the show by water was little inferior to the other by land, that the pikemen had fastened to the tops of their pikes, and the rest in their hats, or their bosoms, printed papers of the protestation which had been taken, and enjoined by the house of commons the year before for the defence of the privilege of parliament; and many of them had the printed votes of the king's breaking their privileges in his coming to the house, and demanding their members.

As soon as the citizens and mariners were discharged, some Buckinghamshire men, who were said to be at [the] door, with a petition, and had

indeed waited upon the triumph with a train of four thousand men, were called in ; who delivered their petition in the name of the inhabitants of the county of Buckingham, and said it was brought to the town by about six thousand men. " They commended the unwearied pains of the house of commons, for redress of the pressures they had lain under ; but complained that the success was not answerable, their endeavours being frustrated or retarded by a malignant faction of popish lords, bishops, and others ; and now of late, to take all that little hope, was left, from them, of a future reformation, the very being of the parliament was shaken, the privileges thereof broken in a desperate and unexampled manner, and the members thereof unassured of their lives, in whose safety, the safety of them and their posterity was involved. They held it therefore their duty, according to their late protestation, to defend and maintain the persons and privileges thereof, to the utmost power of their lives and estates ; to which purpose, they said, they were then come to make the humble tender of their service, and would remain in expectation of their commands and order ; to the execution whereof they would with all alacrity address themselves, ready to live by them, or to die at their feet, against whomsoever should in any sort illegally attempt upon them.

" They besought them therefore to assist the ardent prayers of the petitioners, that the popish lords and bishops might be forthwith ousted the house of peers ; that all privileges of parliament might be confirmed to them, and that all evil counsellors, the Achans of the commonwealth, might be given up to the hands of justice ; without all which, they said, they had not the least hope of Israel's peace, or to reap those glorious advantages, which the fourteen months seed-time of their unparalleled endeavours had given to their unsatisfied expectations."

When they had received thanks for their wonderful affection, and were told, that, " by the great care of the city of London, the parliament was sufficiently guarded and assured ; and therefore that they might depart to their houses till further occasion appeared, of which they should be sure to be informed ;" one of them said, " they had another petition, which they meant to prefer to the king ; but desired their advice, whether that house would vouchsafe to commend it, or whether they themselves should deliver it." For that, they received new thanks ; and were wished, that six or eight of them should present it to his majesty in the name of the rest ; for the house saw their wisdom and moderation such, that they presumed they of themselves were very able to manage that business.

When they had thus caressed the commons, they went to the house of lords with another petition, complaining " of the malignant faction, which rendered the endeavours of the house of commons unsuccessful," and said, " that in respect of that late attempt upon the honourable house of commons, they were come to offer their service, as resolved in their just defence to live and die. And therefore they did humbly pray, that that most honourable house would cooperate with the house of commons, in speedily perfecting the most necessary work of reformation, bringing to condign and unexampled punishment both

" wicked counsellors, and other plotters and delinquents ; and that the whole kingdom might be put into such a present posture of defence, that they might be safe both from all practices of the malignant party at home, and the endeavours of any ill-affected states abroad." The lords were as civil to them as the commons had been, and gave them great thanks. And from thence they went to find out the king with another petition ; in which they complained, " that Mr. Hambden, whom they had chosen knight of their shire, and in whom they had ever good cause to confide, was, to their great amazement, accused ; amongst others accused of high treason. They said, that having taken into their serious consideration the manner of their impeachment, they could not but conceive that it did oppugn the rights of parliament, to the maintenance whereof their protestation did bind them ; and they did believe, that the malice, which his and the others' zeal to his majesty's service, and the state, had contracted in the enemies of his majesty, the church, and the commonwealth, had occasioned that foul accusation, rather than any deserts of theirs ; and that through their sides the judgment and care of the petitioners and others were wounded, by whose choice they were presented to the house ; and therefore they did humbly desire his majesty, that Mr. Hambden, and the rest, who lay under the burden of that accusation, might enjoy the just privileges of parliament." So from this day we may reasonably date the levying of war in England ; whatsoever hath been since done being but the superstructures upon those foundations, which were then laid.

The members being in this manner placed again upon their thrones, and the king retired with his poor family to Hampton-court, they reviewed their votes, which had passed in the committee in the city, which they had caused every night to be printed without staying for the confirmation of the house ; and where they had any defect, as they thought, or in the interpretation of others, they supplied them with more strength and authority. So they provided and declared, " that no member of parliament should be arrested upon any pretence whatsoever." And because it had been insisted on, that they would not make any declaration so much against the known law, which allowed no privilege in the case of treason, felony, or breach of the peace, they now added, that " even in the case of treason no member ought or could be arrested, or proceeded against, without first informing the house, of which he was a member, of the charge and evidence against him, and receiving their leave and direction for the proceeding against him." And that men might hereafter be more wary how they were made instrumental in bringing any reproach upon them, they appointed a committee to prepare a charge against Herbert, the king's attorney-general, for presuming to accuse the members of high-treason ; which was made ready accordingly, and prosecuted with wonderful vigour, as will be remembered hereafter.

They resolved that the king should not enjoy much ease and quiet in his retreat ; and therefore every day sent some committee or other to him with petitions and expostulations : a committee of lords and commons attended him with a grievous complaint of the breach of privilege they had sustained

by his coming to the house; and desired "that he would inform them who had given him that pernicious counsel, that such evil counsel might be brought to justice, and receive condign punishment." And when they found that the lord Digby, whom they generally believed to be the author and contriver of all that transaction, though they could have no evidence of it, had withdrawn himself from the court, and they well enough knew had transported himself beyond the seas, they brought witnesses to the bar, who affirmed, "that there were, on such a day, several officers, whereof the unbeloved Lunsford was one, assembled together at Kingston upon Thames near Hampton-court; and that the lord Digby came thither to them in a coach with six horses from Hampton-court, and conferred a long time with them, and then returned again thither." They were well satisfied with the evidence, and forthwith accused him to the house of peers of high treason, for the levying of war against the king and parliament; and a proclamation was shortly issued out for his apprehension, when all the town knew that he was safely arrived in Zealand; but they thought it fit to shew him how unsavoury a jest the sending out such proclamations was to be esteemed. They resumed the consideration of the lieutenant of the Tower; and upon new information that much provision was sent in thither every day, they sent for sir John Byron, who appeared at their bar, and gave so full answers to all the questions they asked of him, that they could not but dismiss him. However they sent again to the king to remove him, and put a fitter man into the place, and recommended sir John Coniers to him, as a man in whom they could confide; and because they did not speedily receive such an answer as they liked, they appointed their major-general Skippon to place such guards about the Tower, as might prevent the carrying in more provision of victual thither, than would serve for one day's consumption; notwithstanding which, his majesty would not consent to their desire.

All men were now in union in both houses: the lords had not yet recovered the courage to dissent in any one proposition made to them from the commons; and in that house no man durst presume to debate the matter of privilege, how far it extended, and in what cases it was of no moment, lest he might be thought to be privy to, and a counsellor of, that heinous breach, which had given them all this credit. In this consent and concurrence, all the votes, which had passed at the committee in London, and which had been by them communicated to the common council, and so divulged throughout the city and kingdom, were confirmed; and those who objected against any expressions, which were not warrantable, reprehended for laying a tax upon the discretion of the committee.

And in one day both houses agreed in and executed three acts of sovereignty, even of as high a nature as any they have since ventured upon; the first, "in commanding the sheriffs of London, by "and with the advice of their new sergeant-major-general Skippon, to place a guard upon, that is "to besiege the Tower of London, to hinder the "going in of any provisions, or going out of any "arms or ammunition;" the second, "in appointing sir John Hotham to go to Hull," which will be mentioned anon; the third, "in sending an

"order to the governor of Portsmouth, that no "body should be admitted into that town and "fort, or suffered to pass from thence, or any "thing to be disposed of there, but by order from "the king signified by both houses of parliament."

After this, a message was resolved upon to be sent to the governor of the prince, "that he should "not suffer the prince to be transported out of the "kingdom, as he would answer the breach of trust "reposed in him concerning religion, and the "honour, safety, and peace of the three kingdoms;" and declaring, "that any person, who "should persuade or attend upon him in such "transportation, should be under the same censure." With these high acts of public concernment they joined the vindication of themselves from the late trespass from the king: and to that end caused the attorney-general to be publicly examined upon interrogatories, "whether he did "contrive, frame, or advise the articles of impeachment against the members that were accused? whether he knew the truth of them "upon his own knowledge, or by information? "whether he would undertake to make them good, "when he should be thereunto called? from whom "he received them, and by whose direction or "advice he did exhibit them? whether he had "any testimony or proof of them before the exhibiting?" And having received his answer, "that he had neither framed, nor advised them, "nor knew any thing of the truth of them, nor "could undertake to justify them; but that he "had received them from the king, and was by "him commanded to exhibit them;" they presently declared, "that he had broken the privilege of "parliament in preferring those articles, and that "the same was illegal, and he criminal for so "doing; and that a charge should be sent to the "lords, in the name of the house of commons, "against the attorney-general, to have satisfaction "for the great scandal and injury to the members "thereof, unless he did within five days bring in "his proof, and make good the articles against "them."

So that they had now raised to themselves an unquestionable stock of security, when they had declared, "that they might neither be apprehended "by a warrant under the king's own hand, nor "indeed by himself, nor accused by his attorney-general, except themselves were willing:" and they, who had concluded it most exactly just, that the house of peers must imprison their own members, as fast as they accused them of high treason, and, by that rule, had, within less than a week before, freed themselves of twelve bishops, who always opposed their desires, (and in a case, where every man's conscience absolved them of the guilt, of which they were charged,) thought it now unanswerable reason to evince the injustice of the king's proceedings; "because if a man should be "committed and imprisoned as soon as the king "accused him of high treason, the parliament "might be dissolved; since he might successively "accuse the whole body;" which logic, if they had not pleased to vote the contrary, would have run as well in their own case, and upon their own license of accusing, and more dangerously in respect of the house of peers, which might possibly indeed have been thereby dissolved, when by new elections that mischief



would easily be prevented in the house of commons.

Though the king had removed himself out of the noise of Westminster, yet the effects of it followed him very close; for besides the Buckinghamshire petitioners, who alarmed him the same, or the next day after he came to Hampton-court, several of the same nature were every day presented to him, in the name of other counties of the kingdom; all which were printed, and scattered abroad with the declaration of the lord Digby's levying war at Kingston upon Thames, and the proclamation for apprehending him; all which being so industriously dispersed, and without any colour, or ground of danger, but only that the kingdom might be injured to the style of the two houses, and exercised in their commands against the time that they meant to be in earnest, gave the king reason to remove in few days from Hampton-court to his castle at Windsor, where he could be more secure from any sudden popular attempt; of which he had reason to be very apprehensive, when, after those high acts of sedition at London and Westminster were declared to be according to the laws of the land, and the protestation lately taken, that protestation was by a new order enjoined to be administered throughout the kingdom, and the names of all those who refused to take it, which there was reason to believe many would upon the new gloss, returned to the house of commons, who were as severe inquisitors as could be found any where.

From thence he sent a message to both houses, "That he took notice, that his proceedings against those persons, whom he had accused, (naming them,) were conceived by many to be illegal, and not agreeable to the privileges of the parliament; and that he was so desirous to give satisfaction to all men in all matters that might seem to have relation to privilege of parliament, that he would wave his former proceedings; and all doubts being by that means settled, when the minds of men were composed, he would proceed against them in an unquestionable way; and assured both houses, that upon all occasions he would be as careful of their privileges as of his life, or his crown. To which he added, that, in all his proceedings against those persons, he had never the least intention of violating the least privilege of parliament; and in case any doubt of breach of privilege remained, he would be willing to assert it by any reasonable way his parliament should advise him to; and therefore he desired them forthwith to lay by all jealousies, and apply themselves to the public and pressing affairs, and especially to those of Ireland, wherein the good of the kingdom, and the true religion, which should ever be his first care, were so highly and so nearly concerned. And he desired them, that his care of their privileges might increase their care of his lawful prerogative, which was so necessary to the mutual defence of each other, and both would be the foundation of a perpetual and perfect intelligence between his majesty and parliaments, and of the happiness and prosperity of his people."

But these messages were not such as they looked for; there was still left a courage for prosecution; and though the error in form seemed to be consented to, yet the substance and matter of the

accusation might be still insisted on. And therefore they took no notice of them, but proceeded in inflaming all men with the sense of the breach of privilege; and finding the general mettle somewhat to abate, that they might keep up the apprehension of danger, and the estimation of their darling the city, they consult about adjourning both houses into London; but finding some danger of infringing the act of parliament, from whence some advantage might be taken to their prejudice, till that power might be cleared by a law, they were contented to adjourn their houses as they had done for some days, and to appoint committees, qualified with more power than the houses had, to meet in London; which, for the conveniency of the common council, who took up the guildhall, chose to sit in Grocers' hall.

It was wondered, having all places so much at their devotion, that they would remove from their more convenient seats at Westminster; where they might transact whatsoever they desired without interruption, and where they were only disturbed by their own direction. But the advantage they reaped by it was extraordinary; for, besides the fears they dispersed abroad, and the confidence they gave their own friends of the city by being with them, they were sure, for the most part, to have a committee to their own hearts' desire; for besides many out of laziness or indignation would not attend the service in so unnatural a place, very many, who troubled them most in their counsels, durst not in earnest go thither, for fear of uncivilly affronts, if not danger, their names being published in the tumults as disaffected persons; and [they] were those, indeed, which constituted the malignant party, which they prayed against: and they found it much easier to transact any thing contrived and framed by such a committee, than originally offered and debated in either house, before the mystery was understood by their proselytes, and when those, who too well understood it, did render their designs sometimes ineffectual.

The minds of men throughout the kingdom being now prepared to receive all their dictates with reverence, and to obey all their orders, and to believe that all their safety consisted in, and depended upon their authority, and there being few within the house, who had courage to oppose and contradict them, they sent to the lords to quicken them in the bill they had formerly sent to them concerning removing the bishops out of their house; which now, when there were so many of them removed into the Tower, they presumed would not meet with so great an opposition. In the house of commons they called to have the bill read, which had lain so long there, the same that had been brought in by Saint-John for the settling the militia of the kingdom; to which they now added "the putting all the forts, castles, and garrisons, into the hands of such persons, as they could confide in;" which was the expression they used, when they had a mind to remove any man from a place, of which he was justly possessed, "that they could not confide in him, which they thought to be reason enough to displace any man." When it had been with much ado accepted, and first read, there were few men who imagined it would ever receive further countenance: but now there were very few, who did not believe it to be a very necessary provision



for the peace and safety of the kingdom. So great an impression had the late proceedings made upon them ; so that with little opposition it passed the commons, and was sent up to the lords.

Upon the disbanding the late army in the north, all the artillery, arms, and ammunition, that was provided for that service, had been by the king's command sent to Hull, where it still remained ; and his majesty intended it should be kept there, for a magazine upon all occasions. And he had a little before these late passages sent the earl of Newcastle thither, with a private commission, to be governor thereof, as soon as it should be fit to publish such a command ; and in the mean time by his own interest to draw in such of the country, as were necessary to guard the magazine. But nothing the king did in the most private manner, but was quickly known to those from whom it should most have been concealed. And so the earl of Newcastle was no sooner gone, but notice was taken of it ; and he had not been three days in Hull, before the house of peers sent for him, to attend the service of that house, which he had rarely used to do, being for the most part at Richmond attending upon the prince of Wales, whose governor he was. He made no haste to return upon the summons of the house, but sent to the king to know his pleasure ; who, not thinking matters yet ripe enough to make any such declaration, appointed him to come away ; upon which he appeared in the house, without being asked where he had been.

But both houses shortly after moved the king, " that the magazine at Hull might be removed to the Tower of London, which would be very necessary for the quieting the minds of that country, " and abating the fears and jealousies in the hearts " of very many, who did apprehend some design in " the keeping so much ammunition in those northern parts : " and his majesty not giving them a speedy answer, they sent down sir John Hotham, whose estate lay within three or four miles of Hull, and [he] had some command of the trained-bands, " to be governor thereof, and to draw in such " of the country as he thought fit for the security of " the place. " And though Hotham had concurred with them in all their violent ways, yet they well knew that he was not possessed with their principles in any degree, but was very well affected in his judgment to the government both in church and state, but had been first engaged by his particular malice against the earl of Strafford, and afterwards terrified by their votes against sheriffs and deputy lieutenants ; and therefore they sent his son, a member likewise of the house, and in whom they most confided, to assist him in that service, or rather to be a spy upon his father. And this was the first essay they made of their sovereign power of the militia and the forts, whilst their bill was yet depending, and was a sufficient manifestation what they intended to do, when it should be passed ; towards which they made all the haste they could, exercising the king's patience every day with some unsavoury message to him, upon their privileges, and requiring " vindication, and " reparation, and discovery of the persons who had " promoted that prosecution ; " and the council once a week attending upon his majesty at Windsor, though he could not consult with them upon what most concerned him.

In this sad condition was the king at Windsor, fallen in ten days from a height and greatness that his enemies feared, to such a lowness, that his own servants durst hardly avow the waiting on him. For though, it is true, the acts of the house of commons, and the tumults, were as great affronts to majesty, before this last act upon the members, as any that could be imagined possible to succeed, yet the house of peers was well disposed, and might have been managed with a little patience, to have blasted all the extravagances of the commons. And the truth is, the greatest extravagances appeared to the standers-by to be but the attempts of persons in despair, and the strong accents of men at the last gasp. And, without doubt, if the king could have had the patience to have sat still a spectator of the dissensions between the two houses, and encouraging the lords, who were firm to him, and putting those matters in issue, wherein the commons had invaded both his and the lords' privileges ; if he had commanded his council at law and the judges, to have proceeded by the strict rules of the law against seditious persons at large, for preaching and printing against the peace of the kingdom, and put the commons' house either to have been quiet, whilst their champions were exemplarily punished, (which would have put a speedy end to their license,) or to have appeared the champions for an infamous act against the law and the justice of the kingdom, their jurisdiction would in a short time have been brought within the due limits, and the stoutest factor for the violent party been glad to have compounded for an act of oblivion.

And I have heard from credible persons, that the chief of that faction afterwards confessed, that if that extraordinary accident had not happened to give them new credit and reputation, they were sinking under the weight of the expectation of those whom they had deluded, and the envy of those whom they had oppressed. I am sure, they who out of conscience, and loyalty to their king and country, diligently attended the public service, were strangely surprised at the matter and manner of that accusation ; and foresaw, from the minute, the infinite disadvantage it would bring to the king's affairs. Not that they thought the gentlemen accused, less guilty ; for their extreme dishonest arts in the house were so visible, that nothing could have been laid to their charge incredible : but the going through with it was a matter of so great difficulty and concernment, that every circumstance ought to have been fully deliberated, and the several parts dispensed into such hands, as would not have shaken in the execution. And the saying, that the king had not competent persons enough, whom he might trust in so important a secret, (which I believe was true,) is only an argument, that the thing was not to be attempted at all, than that it was to be attempted in that manner ; for whoever would have betrayed the trust, would be sure to find fault with it, when it was endeavoured without him, especially if it miscarried. The truth is, there was little reason to believe, that the house of peers would commit the lord Kimbolton upon the accusation of Mr. Attorney in that conjuncture of time ; and less that the house of commons would deliver up their members to the sergeant at arms, when they should be demanded ; which was an irregular

thing, and implied unreasonably, that they had some power to keep them, who were desired to deliver them. Yet if the choice had been better made, and the several persons first apprehended, and put into distinct close custodies, that neither any body else should have heard from them, nor they one from another, all which had not been very difficult, the high spirit of both houses might possibly have been so dejected, that they might have been treated withal. But even that attempt had been too great for the solitary state the king was at that time in; which was most naturally to have been improved by standing upon his guard, and denying all that was in his power to deny, and in compelling his ministers to execute the law in those cases, that demonstrably concerned the public peace.

The committee at Grocers' hall, very exalted to find no opposition in any thing they desired from both houses, resolved to make what advantage they could of that season of their power; and therefore, not vouchsafing to return any answer to the king's messages of retraction, they concluded upon "a new remonstrance to be made of the state of the kingdom; in which they would present to the king's view the causes of the present evils and distractions, and propose to him, by way of advice, the remedies that in their opinion he was to apply to those evils.

"The causes they agreed to be, the evil council about the king and queen, disposing all occurrences of state, and abusing the king's power and authority to the prejudice of religion, the hazarding the public peace, and strengthening a malignant party in the kingdom; the influence which the priests and Jesuits had upon the affections and counsels of the queen, and the admission of her majesty to intermeddle with the great affairs of state, and with the disposing [of] places and preferments of the highest concernment in the kingdom; whereby those of great power and authority were engaged to favour such designs, as were infused into her majesty by those of that religion: the want of a due reformation of the church-government, and liturgy then used; the want of a preaching ministry, and a competent maintenance for them; the over strict pressing of divers ceremonies in the liturgy and rubrick, and the pressing other ceremonies not enjoined by law; the votes of the popish lords in the house of peers, which was a hinderance of the reformation, and a protection of the malignant party; the preferring such as had adhered to delinquents, and the displeasure shewed against those who had been used as witnesses in the prosecution of them; the breaches of the privileges of parliament; and the managing the great affairs of the realm in cabinet councils by men unknown, and not publicly trusted; the preferring men to degrees of honour and offices, and displacing others, in parliament time, and without the consent of that council; and many other particulars; to which they thought these remedies most natural, and proper to be applied.

"That all privy-counsellors, and others of trust and employment beyond the seas, should be removed from their places, and only such admitted, as should be recommended to the king by both houses of parliament; and that such counsellors and officers, as should be so displaced, and not again recommended, should not have access to

"the courts of the king and queen: that all priests, papists, and ill-affected persons, though professing the protestant religion, should be removed from the queen's person, and from having any office or employment under her, and that all her servants should take such an oath as should be devised by parliament; that he, or she, would not at any time, directly or indirectly, by him, or herself, or any other, move or petition, or solicit her majesty in any matter concerning the state and government of the kingdom, or concerning any favour or immunity to be conferred upon any papists, or for any honour, preferment, or employment of any person whatsoever.

"That the king would remove from about his own person, and the queen's, and from both their courts, Mr. William Murray, Mr. Porter, Mr. John Winter, and Mr. William Crofts, being all persons of evil fame, and disaffected to the public peace and prosperity of the kingdom, and instruments of jealousy and discontent between the king and the parliament, &c., that the king would not entertain any advice or mediation from the queen in matters of religion, or concerning the government of any of his dominions, or for the placing or displacing of any great officers, counsellors, ambassadors, or agents beyond the seas, or any of his servants attending his royal person, either in his bed-chamber, or privy-chamber, or attending the prince, or any of the royal issue after they shall attain to the age of five years.

"That the queen should take a solemn oath, in the presence of both houses of parliament, that she would not hereafter give any counsel, or use any mediation to the king, concerning the disposing of any offices or places above mentioned, or at all intermeddle in any of the affairs of state, or government of the kingdom: that all officers and counsellors, that should be employed in any of the places before mentioned, should take a solemn oath, that they had not made use of any power or mediation of the queen, directly or indirectly, for their preferment, or in obtaining any such place or employment: that the affairs of the kingdom should not be concluded or transacted by the advice of private men, or by any unknown or unsworn counsellors, but such matters as were fit for the council, by the privy-counsellors only; and such as were fit for the parliament, by the parliament only.

"That no person whatsoever, under the penalty of treason, should presume to solicit or further any proposition for the marriage of any of the king's children with any prince or person of the popish religion; and that no marriage for any of the king's children should be concluded with any prince or person whatsoever, without the consent and advice of both houses of parliament: that none of the king's children, except the princess Mary then affianced, should at any time go beyond the seas without the consent of both houses of parliament; and that no person, under penalty of high treason, should assist, or attend any of his majesty's children in any such voyage beyond the seas, without the like consent of both the houses of parliament.

"That no mass, or popish service, should be said in the courts of the king or queen, or in the house of any subject of the kingdom; and that more laws should be made against the papists;

"and all the priests which were condemned should be forthwith executed. That the votes of popish lords might be taken away; and a reformation [made] of the church-government and liturgy by the parliament; and that no penalty should be incurred for omission of any ceremony, till the reformation should be perfect: that all delinquents should be subject to such penalties and forfeitures as should be agreed on, and imposed by bill, in both houses of parliament: that such as should be declared in parliament to adhere to any delinquents, and had thereupon received any preferment from the king, should be removed from such preferment; and such as should be declared by both houses to have been employed and used against delinquents, and had thereupon fallen into the king's displeasure, and been put from their places, should be restored to their places, and his majesty's favour.

"That every person, who, being a member of the house of commons in that parliament, had been accused of any offence against that house, and, the accusation depending, had been called up to the house of lords in the quality of a peer, should by act of parliament be put out of that house; and that hereafter no member of the house of commons should without their consent be called up to be a peer, except in case of descent: that no person, which should hereafter be made a peer of the realm, should be admitted to have his seat, or vote in the house of peers, without the consent of both houses of parliament: that those members of the house of commons, who had this parliament been called to the house of peers, except in case of descent, should be excluded from giving their votes in the house of peers, unless both houses of parliament should assent thereunto: that no member of either house of parliament should be preferred or displaced, sitting the parliament, without the consent of that house, whereof he was a member: that such of either house as had been preferred to any place or office, during the parliament, might be put out of those offices and places.

"That the king would declare the names of those who advised him to the accusation of the members, and all the particulars that ensued upon that accusation; and that he would make public declaration and promise in parliament, never more to receive information from any man to the prejudice of any member of either house, for any thing done in that house, without discovering the name of such person who gave him such information."

These, and many other particulars of the like nature, were the results of that committee at Grocers' hall; which I insert here, being the proper time of their birth, that the world may see what their projections were in the infancy of their visible power and advantage, though they were not digested into avowed propositions till long after, as the effects of riper divisions, and fuller grown jealousies. For by that time they had shaped and formed these devices, they found the eyes of the people not to be so universally shut as they had been; and that the king's coming to the house of commons, or the accusing the members, was not more spoken of than the tumults, and the driving the king out of London, and not suffering him to be quiet at Hampton-court; then that the lords begun to take new courage, and though they were

somewhat intoxicated with the matter of privilege, yet that they thought a trespass capable of reparation, and so were willing to receive any overture from the king to that purpose. They concluded therefore, "the time was not yet ripe to do all at once, till more men were engaged," and resolved, "with more patience to win their ground by inches."

The king continued at Windsor to expect the end, or the issue of this tempest; and finding that they hardly would take notice of his former messages, but proceeded in the high ways of destruction, for he had advertisement of their most secret combinations, resolved to send such a message to the two houses, whose united reputation was yet too great to struggle with, as might at least divide those, who desired the public peace, from the ministers of confusion: and so on the twentieth of January sent this proposition and message to them in writing, "for preventing those evils, which the manifold distractions threatened to the kingdom; that they would with all speed fall into a serious consideration of all those particulars, which they held necessary, as well for the upholding and maintaining the king's just and regal authority, and the settling his revenue, as for the present and future establishment of their privileges, the free and quiet enjoying of their estates and fortunes, the liberties of their persons, the security of the true religion now professed in the church of England, and the settling of ceremonies in such a manner, as might take away all just offence; which when they should have digested, and composed into one entire body, that so his majesty and themselves might be able to make the more clear judgment of them, it should then appear, by what his majesty would do, how far he had been from intending or designing any of those things, which the too great fears and jealousies of some persons seemed to apprehend; and how ready he would be to equal and exceed the greatest examples of the most indulgent princes in their acts of grace and favour to their people; so that, if all the present distractions, which so apparently threatened the ruin of the kingdom, did not, by the blessing of Almighty God, end in a happy and blessed accommodation, his majesty would then be ready to call heaven and earth, God and man, to witness, that it had not failed on his part."

This message was received by the lords with great signs of joy, insomuch that they desired the commons to join with them in returning their joint thanks to his majesty for his gracious offer, and to assure him, "that they would forthwith apply themselves to those considerations he proposed." However the next day they joined together in a petition to the king, "that he would, within very few days, send in his proofs, and proceed against the members he had accused of high treason, or declare them to be innocent, and himself to be ill advised;" to which he answered, "that he was ready to proceed against them; but, that there might be no new mistakes in the way, and form of the proceedings, he desired, that it might be first resolved, whether his majesty were bound in respect of privileges to proceed against them by impeachment in parliament, or whether he were at liberty to prefer an indictment at common law in the usual way, or whether he had his choice of either: before that was resolved, his

"majesty thought it unusual and unfit to discover what proof he had against them; but then, he would give such speedy direction for prosecution, as might put a determination to the business."

This gave them new offence and trouble; and if the king's council had had the courage to have insisted upon the matter of law, and the lords would have given them reasonable countenance, they would have been much puzzled to have procured a resolution, that would have served their purposes to all parts, and been contented to have suspended their judgment, that so the king might have suspended his prosecution. For if the judges had been compelled to deliver their opinions in point of law, which they ought to have been, they could not have avoided the declaring, that by the known law, which had been confessed in all times and ages, no privilege of parliament could extend in the case of treason; but that every parliament-man was then in the condition of every other subject, and to be proceeded against accordingly. In the next place, as they would never have ventured themselves upon the house of peers under an impeachment, and thereby made them their judges, which indeed was incongruous, every subject being to be tried for his life *per pares*, and *per legem terræ*, to both which the lords and the impeachment [were] directly opposit; so they would less have trusted an indictment at law, and a well chosen sober jury, who had been bound to follow their evidence of fact, and were not judges of the law, which was severe in any conspiracy against the crown, or the persons of king or queen.

But having shut the doors against any mention of law, they made no scruple of resolving, and answering his majesty, "that they were first to see the evidence he had to prove the guilt, before they could give any direction for the manner of the prosecution, and proceeding;" which they grounded upon a maxim, they had established three or four days before, though never till then heard of; "that no member of parliament, for what offence soever, could be arrested, or proceeded against, but by the consent of that house, of which he was a member; and then, they said, they could not give or deny their consent by any other measure than the knowledge of the crime and proof, upon which such member stood accused." Which conclusion had been reasonable, if the assumption had been just; whereas the argument was to be inverted, that their consent was not to be asked, because they had no cognizance of the crime, of which their members were accused, nor were judges whether their accusation were valid in law, or sufficiently proved in fact.

It is not to be believed how many sober, well-minded men, who were real lovers of the peace of the kingdom, and had the known laws in full submission and reverence, were imposed upon, and had their understandings confounded, and so their wills perverted, by the mere mention of privilege of parliament; which, from the most defined, limited notion, was, by the dexterity of those boute-feus, and their under-agents of the law, and the supine sottishness of the people, rendered such a mystery, as could be only explained by themselves, and extended as far as they found necessary for their occasions, and was to be acknowledged a good reason for any thing that no other reason could be given for. "We are," say they, "and have been always confessed, the only judges of

"our own privileges; and therefore whatsoever we declare to be our privilege, is such: otherwise whosoever determines that it is not so, makes himself judge of that, whereof the cognizance only belongs to us." And this sophistical riddle hath perplexed many, who, notwithstanding the desperate consequence they saw must result from such logic, taking the first proposition for true, which, being rightly understood, is so, have not been able to wind themselves out of the labyrinth of the conclusion: I say the proposition rightly understood: they are the only judges of their own privileges, that is, upon the breach of those privileges, which the law hath declared to be their own, and what punishment is to be inflicted upon such breach. But there can be no privilege, of which the law doth not take notice, and which is not pleadable by, and at law.

The truth and clearness of this will best appear by instance: if I am arrested by process out of any court, I am to plead in the court, that I am a member of parliament, and that, by the privilege of parliament, my person ought to be free from arrests. Upon this plea the judge is bound to discharge me; and if he does not, he is criminal, as for any other trespass against the law: but the punishing the person, who hath made this infringement, is not within his power, but proper to that jurisdiction, against which the contempt is; therefore that house, of which I am a member, upon complaint made of such an arrest, usually sends for the persons culpable, the party at whose suit the arrest is made, and the officers which executed it, and commits them to prison, till they make acknowledgment of their offence. But that house never sends, at least never did till this parliament, any order to the court, out of which the process issued, to stay the proceedings at law, because the privilege ought to be legally pleaded. So, after the dissolution of parliament, if I am arrested within the days of privilege, upon my plea of privilege the court discharges me; but then the party that arrests me escapes punishment till the next parliament, the judge having no more power to commit the man that sued or arrested me, than he hath to imprison a man for bringing an action at law, when he hath no good title; neither is he judge of the contempt.

Again: If a man brings an information, or an action of the case, for words spoken by me, and I plead, that the words were spoken by me in parliament, when I was a member there; and that it is against the privilege of parliament, that I should be impleaded in any other place, for the words I spake there; I ought to be discharged from this action or information, because this privilege is known, and pleadable at law: but that judge can neither punish nor examine the breach of privilege, nor censure the contempt. And this is the true and proper meaning of the old received axiom, that they are judges only of their own privileges.

And indeed these two, of freedom from arrests for their persons, (which originally hath not been of that latitude to make a parliament a sanctuary for bankrupts, where any person outlawed hath been declared incapable of being returned thither a member,) and of liberty of speech, were accounted their chiefest, if not their only privileges of parliament: for their other, of access to the king, and correspondence by conference with the lords, are rather of the essence of their councils, than privileges belonging to it. But that their being judges

of their privileges should qualify them to make new privileges, or that their judgment should create them such, as it was a doctrine never before now heard of, so it could not but produce all those monstrous effects we have seen; when they have assumed to swallow all the rights and prerogative of the crown, the liberties and lands of the church, the power and jurisdiction of the peers, in a word, the religion, laws, and liberties of England, in the bottomless and insatiable gulph of their own privileges; and no doubt will determine this digression to be the most unparalleled and capital breach of those privileges, that had ever yet been attempted.

In the address, which the house of commons prepared for acknowledgment of the king's grace and favour in his message of the twentieth of January, they had desired, "that for a ground of their confidence, and removal of jealousies, that they might apply themselves to give his majesty satisfaction in the method he proposed, his majesty would presently put the Tower of London into the hands of such a person, as both houses should recommend to him:" in which the lords differed with them; as well for that the disposal of the custody thereof was the king's peculiar right and prerogative, as likewise that his majesty had committed the charge thereof to sir John Byron, a person of a very ancient family, an honourable extraction, good fortune, and as unblemished a reputation as any gentleman of England. The commons, much troubled that the lords should again take the courage to dissent from them in any thing, resolved to press the king upon their own score, and to get the recommendation of so great an officer to themselves.

And therefore on the six and twentieth day of January, they sent a petition to him in the name of the knights, citizens, and burgesses, of the commons' house assembled in parliament; in which they took notice "of the gracious message from his majesty of the twentieth instant, for which they returned most humble thanks, resolving to take it into speedy and serious consideration; and said, to enable them with security to discharge their duties therein, they had desired the house of peers to join with them in humbly beseeching his majesty to raise up unto them a sure ground of safety and confidence, by putting the Tower, and other principal forts of the kingdom, and the whole militia thereof, into the hands of such persons as his parliament might confide in, and as should be recommended unto him by both houses of parliament; that, all fears and jealousies being laid aside, they might with cheerfulness proceed to such resolutions, as they hoped [would] lay a sure foundation of honour, greatness, and glory to his majesty, and his royal posterity, and of happiness and prosperity unto his subjects, throughout all his dominions; wherein the house of peers had refused to join with them. But they, notwithstanding, no way discouraged, but confiding in his majesty's goodness to his people, did therefore make their humble address to him to beseech him, that the Tower of London, and other principal forts, and the whole militia of the kingdom, might be put into the hands of such persons as should be recommended to him by the house of commons; not doubting but they should receive a gracious and speedy answer to that their humble desire, without which, in all human reason, the great

"distractions of the kingdom must needs overwhelm it with misery and ruin."

The king was not troubled at the receipt of this petition, glad that, since they could not be brought to such a degree of reasonableness, as might make up all breaches, they would be so peremptorily unreasonable as might probably sever those from them, who were not as desperate as themselves; and he hoped, that when the people should observe that this grasping of the militia of the kingdom into their own hands, as an expedient for the composing their high-grown fears and jealousies, was no more than they desired the summer before, when sir Arthur Haslerig brought in his bill into the house of commons, which is before remembered, when that title of fears and jealousies was not discovered; and when the peers should observe, that the house of commons insolently demanded, by their own single suffrage, the deputing men to that prodigious trust, they would both conclude, that those immodest askers were not only fit to be denied, but reformed: yet believing that real and just fears would grow up, to discountenance and suppress those imaginary ones, his majesty vouchsafed a very soft and dispassionate answer to that petition; and told them, "that he hoped his gracious message would have produced some such overture, as, by offering what was fit on their parts to do, and by asking what was proper for him to grant, might have begot a mutual confidence in each other. Concerning the Tower of London, that he did not expect, having preferred a person of a known fortune, and unquestionable reputation, to that trust, that he should have been pressed to remove him without any particular charge objected against him: however, that if, upon due examination, any particular should be presented to him, whereby it might appear he was mistaken in his good opinion of that gentleman, and that he was unfit for the trust committed to him, he would make no scruple of discharging him; otherwise, he was obliged, in justice to himself, to preserve his own work, lest his favour and good opinion might prove a disadvantage and misfortune to his servants, without any other accusation; of which he hoped his house of commons would be so tender, as of a business, wherein his honour was much concerned, as, if they found no material exceptions against that person, they would rather endeavour to satisfy and reform the fears of other men, than, by complying with them, press his majesty to any thing, which did so much reflect upon his honour and justice.

"For the forts and castles of the kingdom, that he was resolved they should always be in such hands, and only in such, as the parliament might safely confide in; but the nomination of any persons to those places, being so principal and inseparable a flower of his crown, vested in him, and derived to him from his ancestors by the fundamental laws of the kingdom, he would reserve to himself; in bestowing whereof, as he would take care that no corrupt or sinister courses should prevail with him, so he was willing to declare, that he should not be induced to express that favour so soon to any persons, as to those whose good demeanour should be eminent in, or to his parliament. And if he then had, or should at any time, by misinformation, confer such a trust upon an undeserving person, he was, and

"would always be, ready to leave him to the wisdom and justice of his parliament.

"For the militia of the kingdom, which by the law was subject to no command but of his majesty, and of authority lawfully derived from him, he said, when any particular course for ordering the same should be considered, and digested, and proposed to him, he would return such an answer as should be agreeable to his honour, and the safety of his people, he being resolved only to deny those things, the granting whereof would alter the fundamental laws, and endanger the very foundation, upon which the public happiness and welfare of his people was founded and constituted, and which would nourish a greater and more destructive jealousy between the crown and the subject, than any of those, which would seem to be taken away by such a satisfaction.

"He said, he was not willing to doubt, that his having granted more than ever king had granted, would persuade them to ask more than ever subjects had asked : but if they should acquaint him with the particular grounds of their doubts and their fears, he would very willingly apply remedies proportionable to those fears; for he called God to witness, that the preservation of the public peace, the law, and the liberty of the subject, was, and should always be, as much his care and his industry as of his own life, or the lives of his dearest children.

"And therefore he did conjure them by all the acts of favour they had received from him this parliament, by their hopes of future happiness in his majesty, and in one another, by their love of religion, and the peace of the kingdom, in which, he said, that of Ireland was included, that they would not be transported by jealousies, and apprehensions of possible dangers, to put themselves, or his majesty, into real and present inconveniences; but that they would speedily pursue the way proposed by his former message, which, in human reason, was the only way to compose the distractions of the kingdom, and, with God's blessing, would restore a great measure of felicity to king and people."

This answer being not only a denial, but such an expostulation as would render their counsels of less reverence to the people, if upon those reasons they should recede from what they had with that confidence, and disdain of the house of peers, demanded of the king; and therefore they resolved to set up their rest upon that stake, and to go through with it, or perish in the attempt. And, to this purpose, they again muster up their friends in the city, and send their emissaries abroad, to teach the people a new language. All petitions must now desire, "that the kingdom might be put into a posture of defence, and nothing else would serve to defend them from the many plots and conspiracies against them, or secure them from their own fears and jealousies." More petitions were presented to the house of commons by some citizens of London, in the name of those merchants, that usually traded to the mint with bullion; who pretended "that their fears and jealousies were so great, that they durst not carry their bullion to the Tower, being not satisfied with the present lieutenant of the Tower; and therefore desired that he might be removed;" and to that purpose;

whereas in truth there was at that time, and from the time that that gentleman was lieutenant, more bullion brought in to be coined, than in the same time for seven years before; neither was there one man of those who subscribed that petition, who ever brought pound weight of bullion to the mint in his life. So that these cheats were too gross to do their business by, and they were quickly supplied with more powerful arguments.

They had wholly undertaken the managing of the war in Ireland, and really, for many reasons, neither did use, nor desired to use, any great expedition in that work; yet having with great industry infused into the minds of the people at least a suspicion that the court favoured that rebellion, they always made use of the slowness in those proceedings to the king's disadvantage. About that time, they had desired the city to furnish them with one hundred thousand pounds, for the levying and accommodating forces to be sent into that kingdom, which gave the common council, where such loans were always transacted, opportunity to return their opinions, and advice upon the general state of affairs. They said, "they could lend no more money by reason of those obstructions, which threatened the peace of this kingdom, and had already rendered that even desperate: that the not passing the bill [against] pressing of soldiers, which still depended with the lords, upon those reasons formerly mentioned at large, put many men into fears, that there was some design rather to lose that kingdom, and to consume this in the loss of it, than to preserve either the one or the other; and that the rebels were grown so strong there, that they made account speedily to extirpate the British nation in that kingdom; and that they intended then, as they already bragged, to come over, and make this the seat of the war.

"That the not putting the forts into such hands, in whom the parliament might confide, the not settling the kingdom in a posture of defence, the not removing the present lieutenant of the Tower, and putting such a person into that place, as might be well approved by the parliament, could not but overthrow trading more and more, and make monies yet more scarce in the city and kingdom. That the misunderstanding between the king and parliament, the not vindicating the privileges thereof, the charging some members of treason to the deterring of others from discharging their duties, and to the destroying the very being of parliaments, did exceedingly fill the minds of men well affected to the public, with many fears and discouragements; and so disable them from yielding that cheerful assistance, which they would be glad to afford. That by means of these there was such a decay of trading, and such scarcity of money, neither of which could be cured, till the former evils were removed, as it was like, in very short time, to cast innumerable multitudes of poor artificers into such a depth of poverty and extremity, as might enforce them upon some dangerous and desperate attempts, not fit to be expressed, much less to be justified; which they left to the house speedily to consider, and prevent. These evils, under which they did exceedingly labour and languish, they said, did spring from the employing of ill affected persons in places of trust and honour in the state, and near to the person of

"the king; and that they were still continued by means of the votes of bishops, and popish lords, in the house of peers. And so having faithfully represented, they said, the true reasons, which really enforced them to return that answer, they craved leave to protest before God and the high court of parliament, that if any further miseries befell their dear brethren in Ireland, or if any mischief should break in upon this kingdom, to the endangering or disturbing [the peace] thereof, it ought not to be imputed to them, but only to such, who should endeavour to hinder the effectual and speedy cure of those evils before recited, which did so much disable and discourage them from doing that which the house had desired of them."

At the same time were presented other petitions, subscribed by many thousand hands, and in the names of the knights, gentlemen, and freeholders, and other inhabitants, of the counties of Middlesex, Essex, and Hertford; all which severally inveighed against the malignant party, which rendered the good endeavours of the house of commons fruitless; "desired that the votes of the bishops, and popish lords, might be taken out of the house of peers; that they might be put into a posture of defence, and the forts, and castles of the kingdom, into such hands as the parliament might confide in; that so Ireland might be relieved, and this kingdom made happy: one of them adding, that the malignant party of prelates and papists, and their adherents, were inconsistent with the happy success of the parliament." These petitions, and the answer of the common council of London, were thought ample materials for a conference with the lords, who might be thereby remembered of their duty; and to that purpose Mr. Pym delivered them at a conference, and after they were read, told them, "that their lordships might in those petitions hear the voice, or rather the cry of all England; and that they were not to wonder if the urgency, the extremity of the condition we were all in, did produce some earnestness and vehemency of expression more than ordinary; the agony, terror, and perplexity, in which the kingdom laboured, was universal, all parts were affected with it; and therefore in those petitions they might observe the groans and miserable complaints of all." After a long discourse of the great and notorious dangers the kingdom was in, by invasions threatened from abroad, and insurrections from within, he told them, "the obstructions, that had brought them into that distemper, were principally the obstruction of reformation in matters of religion, and that there was never church or state afflicted with more grievances of that kind, than we had been; and that though they were partly eased and diminished by the wisdom of the parliament, yet many still remained; and as long as the bishops, and the corrupt part of the clergy, continued in their power, there would be little hope of freedom, either from the sense of those that continued, or the fear of those which were removed. And of that obstruction, he said, he must clear the commons, who were in no part guilty of it. Some good bills they had already passed, and others were in preparation, and might have been passed before that time, if they had not found such ill success in the other [house]: whatsoever mischief that obstruction should produce, they were free from it; they might have their

"part of the misery, they could have none in the guilt or dishonour."

He told them, "there was a great obstruction in trade, which brought food and nourishment to the kingdom; and then having enlarged himself with enumeration of the notable benefits the kingdom received by the fulness of trade, he said, he must protest, the house of commons had given no cause to that obstruction: they had eased trade of many burdens, and heavy taxes, and had freed it from many hard restraints by patents and monopolies; they had sought to put the merchants into security and confidence in respect of the Tower of London, that so they might be invited to bring in their bullion to the mint, as heretofore they had done; they were no way guilty of the troubles, the fears, and public dangers, which made men withdraw their stocks, and keep their money by them, to be ready for such sudden exigents, as, in those great distractions, they had too great cause to expect."

"There was an obstruction, he said, in the relief of Ireland; but he must declare the commons were altogether innocent of any neglect therein; they had agreed to the levies of men and money, and, from time to time, done all for the furtherance thereof, though in the midst of many distractions and diversions; but the wants of commissions for levying men, that was the bill [about] pressing, and divers other impediments, had been the causes of that obstruction. Nay, he said, he did not only find impediments to themselves, but encouragement to the rebels; for many of the chief commanders now in the head of the rebels, after both houses had stopped the ports against all Irish papists, had been suffered to pass, by his majesty's immediate warrants, much to the discouragement of the lords justices and council there, and were procured by some evil instruments too near his royal person, and, they believed, without his knowledge and intention."

He said, "there was an obstruction in providing for the defence of the kingdom, that they might be enabled to resist a foreign enemy, and to suppress all civil insurrections: what endeavour they had used to remove them, but hitherto without that success and concurrence which they expected, and where their stop had been, and upon what grounds they might proclaim their own innocence and faithfulness in that particular, they desired no other witnesses but their lordships."

He told them, "the evil influences, which had caused that distemper, were the evil councils about the king, the great power, that a factious and interested party had in parliament by the continuance of the votes of the bishops, and popish lords, in their lordships' house, and the taking in of others out of the house of commons, and, otherwise to increase their strength, the fomenting a malignant party throughout the kingdom, the jealousies between the king and his parliament." And after many bitter and seditious expressions of the court, and of all those who were not of his mind, he concluded, "that he had nothing to propose to their lordships by way of request or desire from the house of commons; he doubted not, but their judgments would tell them what was to be done; their consciences, their honours, their interests, would



"call upon them for the doing of it. The commons would be glad to have their help and concurrence in saving of the kingdom; but if their lordships should fail, it should not discourage them in doing their duty; and whether the kingdom be lost, or saved, they should be sorry, that the story of this present parliament should tell posterity, that, in so great a danger and extremity, the house of commons should be enforced to save the kingdom alone, and that the house of peers should have no part in the honour of the preservation of it, they having so great an interest in the good success of those endeavours, in respect of their great estates, and high degrees of nobility."

As soon as this conference was ended, the speaker of the house of commons was appointed to give Mr. Pym solemn thanks for his so well performing that service, and to require him to deliver his speech in writing into the house, to the end it might be printed; which was done accordingly, to the end that the people might understand, besides those reproaches upon the king, how negligent the house of peers were of their welfare and security.

The same day and hour after that conference, a great number of people, in the name of the inhabitants of the county of Hertford, presented a petition to the house of peers; in which, amongst other particulars, "they complained of the delay of putting the kingdom into a posture of war for their better defence, and the want of compliance by that honourable house with the house of commons in entertaining those many good motions, and passing those necessary bills presented to them from that house for the common good. And therefore they desired them, for the better removing of all the causes and springs of their fears and troubles, that the evil counsellors, and others hindering the public good, might be taken from his majesty, and the voting of the popish lords and bishops removed out of that honourable house: and that the petitioners, who would be ever ready to hazard their lives and estates for the defence of the king and parliament, the privileges of the same, and in special those noble lords and gentlemen in both houses, whose endeavours were for the public good, might have liberty to protest against all those, as enemies to the kingdom, who refused to join with those honourable lords and the house of commons, for the putting the kingdom into a way of safety, under the command of such persons, as the parliament should appoint." But neither this, nor any of the other proceedings were resented by the house of peers, though their privileges were not only invaded, but the very freedom and liberty of parliament were absolutely taken away and destroyed thereby.

When the house of commons found that none of these extraordinary ways would thoroughly subdue the house of lords, but that, though they had very sturdy champions there, the major part, albeit the bishops and all the recusant lords were driven from thence, still opposed them, whereby neither the bill for the taking away the bishops' votes, nor [about] pressing, could pass, and that they peremptorily still refused to join in the business of the militia; they found a new way, as unpractised and as unnatural as any of the former, whereby they would be sure to have an influence

upon the house of peers. It is an old custom, and privilege of that house, that upon any solemn debate, whosoever is not satisfied with the conclusion and judgment of the house, may demand leave to enter his protestation, which must be granted. The original of this was in jealous times, when men desired, for avoiding the ill consequence of any act there, that their dissents might appear; and was very seldom practised, but when they conceived religion, or the crown, trenching upon; insomuch as you shall not find, in the journals of many parliaments, one protestation entered; and when there was any, there is no more in the records, than, after the resolution of the house is entered, and the number of those that were content and not content, "that such a lord desired that his protestation, that is, dissent might be entered;" and oftentimes when ten have dissented from the general opinion, not above one hath entered his protestation. But since this parliament, as they altered the custom from cases of high concernment to the most trivial debates, the minor part ordinarily entering their protestation, to the end that their opinions might be taken notice of, and who were opposite to them, whereby the good and bad lords were known and published; so they altered the form, and, instead of short general entries, caused the matter of the debate to be summed up, and thereupon their protestation, "that they were not to be answerable for any inconveniences or mischiefs, that should befall the commonwealth by reason of this or that resolution." So that from an act, for the particular indemnity of the person that made it, it grew to be a reproaching and arraigning the sense of the house by any factious number that disagreed. Then, because the house of peers is a court of record, they concluded, "that any man upon any occasion might peruse their journals;" and so every night the house of commons could see how the debates had been managed and carried all the day, and take public notice, and make use of it accordingly, which they could not do of those discourses they received from their confidants; for supplying whereof this trick was most unjustifiably found out. For though it is a court of record, the highest court, and the acts and judgments of parliament are records, to which the subject may upon all occasions resort, yet they have not liberty to examine and peruse their journal books, much less question any words spoken, or act done, and remembered there; of which if they are not the only judges, their privileges are much less than the commons in truth have, and may justly claim.

It happened, about this time, that upon some overture in the lords' house, which pleased them not, the violent party there, in a disorderly manner, cried out, *Adjourn, adjourn*, being not willing the matter should then come into debate; others were not willing that the house should adjourn. The duke of Richmond, troubled at that tumultuary and indirect proceeding, said, without directing himself to the speaker, "if they would adjourn, he wished it might be for six months," or words to that effect; upon which some of the other party straight moved, "that the house might not rise, and that the duke might explain himself, and answer the making such a motion, as, being granted, would be destructive to the commonwealth." The duke said, "he made no motion,



"but used that expression, to shew his dislike of the other motion to adjourn at that time, when there was business in agitation of great concernment; and that, when he spoke, all men being upon their feet, and out of their places, he conceived the house had been up." Upon this he was required to withdraw; and then they, who had long looked upon him with great envy and animosity, as the only great person, and officer at court, who had contemned their power, and their stratagems, [and] had with notable courage always opposed their extravagances, and servile complying with the house of commons, and submitting to the tumults, and had with singular constancy preserved his duty and fidelity to his majesty unviolated, inveighed against the motion, "as of too serious a nature to be made a jest of, and fit to be censured as most pernicious to this kingdom, and destructive to Ireland; the war whereof could not proceed, if the parliament should have been adjourned for six months, as his lordship had proposed."

On the other side, it was alleged, "that the motion had never been made to the house; and therefore they ought no more to question, or take notice of it, than of every light or frolic discourse or expression, that negligently or casually fell from any man; which would take away all liberty of conversation. However, that if it had been seriously and formally made, it could be no crime, it being the necessary liberty and privilege of every member, to make any motion he thought in his judgment fit, which the house would approve, or reject, as it found reasonable. And that, since it was as much in the house's power to adjourn for six months, as for six days, it was as lawful to move the one as the other; of which there could not be the least inconvenience, because the house would be sure to reject it, if it were not found proper." After a very fierce and eager debate, in which much bitterness and virulency was expressed, it was resolved by the major part, "that the duke had committed no offence;" and so he was as regularly absolved as was possible. Hereupon the earls of Northumberland, Pembroke, Essex, Holland, who thought the duke's affection and duty to his master a reproach, and his interest prejudicial to them, with the rest of that party entered their protestation; "that whereas such a motion had been made by the duke of Richmond, and upon being questioned for the same, he had been acquitted by the major part, they were free from the mischiefs or inconveniences, which might attend the not punishment of an offence tending so much to the prejudice of king or kingdom."

This protestation, by the advice of that night's meeting, was, the next day, taken notice of in the house of commons, and the matter itself of the motion extended by all possible and rhetorical aggravations, concerning the person, and his interests, according to the license of that house, and that people. It was said, "here was an evil counsellor, that had discovered himself, and no doubt had been the author of many of those evil counsels, which had brought that trouble upon us; that he had received his education in Spain, and had been made a grandee of that kingdom, and had been ever since notoriously of that faction; that his sisters were papists, and therefore his

"affection was to be questioned in religion; that, from the beginning of this parliament, he had been opposite to all their proceedings, and was an enemy to reformation; that he had vehemently opposed the attainder of the earl of Strafford; was a friend to bishops; and now, to prevent any possibility of reformation, which could not be effected without the concurrence of the two houses, had desperately moved in the house of peers, where he had a great faction, that it would adjourn for six months; in which time the malignant party, of which he might well be thought the head, and had the greatest influence upon the king's affections, would prevail so far, that all future hopes would be rendered desperate, and the kingdom of Ireland be utterly lost, and possessed by the papists: that they were therefore to take this opportunity, which God had given them, to remove so malignant and dangerous a person from the king, and so suspected a one, from so important a charge as the cinque ports, of which the duke was lord warden, and to send to the lords to join with them in a desire to the king to that purpose."

On the other side, it was objected, that "whilst they were so solicitous of their own privileges, and sensible of the breach and violation of them, they could not more justify those, who had been the advisers of such breaches, than by offering the like trespass to the privileges of the peers: that the life of that council depended upon the liberty of speech; and where there were so different minds, there must be different expressions; and if one house might take notice what the other house said, or did, within those walls, the lords would as well question their members, as they did now one of the lords; which would take away all freedom of debate: that they could not examine the circumstances, which attended that motion, if any such was made; and therefore could not so much as, in their private understandings, make a reasonable judgment of it; but that they were naturally to presume the circumstances were such, as took away the offence of the motion; for that the major part of that house where the words were spoken, and at the time when they were spoken, had, upon solemn debate, concluded, that there was no crime in them; and that they were not only the proper, but the only judges in that case: and if the commons should intermeddle therewith, it was no otherwise, than, by the strength of the major part of the house of commons, to make the minor part of lords superior to the major part of that house; which they would not suffer to be offered to themselves."

It was alleged, "That the duke was a person of great honour and integrity, and of so unblemished a fame, that in all the discovery of the court-offences, there was not any reflection upon him. That his education had been, according to the best rules of the greatest persons, for some years beyond the seas; and that, having spent more time in France and Italy, he visited Spain; where his great quality being known, and no question as a compliment to this kingdom, with which it was then in strait alliance and confederacy, that king had conferred the honour of a grandee upon him; which was of no other advantage or signification to him, than to be covered in the

"presence of that king, as the principal subjects there are. That his affection to the protestant religion was unquestionable, and very eminent; and though his sisters, who had been bred under their mother, were catholics, yet his brothers, of whose education he had taken the sole care, were very good protestants.

"That his opinions in parliament had been very avowed, and were to be presumed to be according to his conscience, in the profession of which he was so public, that there was reason to believe he used no ill arts in private; since he had the courage to do that aloud, which he had reason to believe would displease many. That it would be a great prejudice and blemish to their counsels and discoveries, if after so long discourse of a malignant party, and evil counsellors, of which they had never yet named any, they should first brand this lord with that imputation upon such a ground and occasion, as must conclude [include] all those lords who had absolved him, which was the major part of the lords. In a word, that it would look as if they had devised those new words to make men afraid, and kept them in reserve to apply to all those, with whom they were angry."

But notwithstanding all this, and all the reason that could be spoken on that part, and that there could be none on the other, after a debate of very many hours, till after nine of the clock at night, (the latest that ever was in parliament, but that of the remonstrance,) in which it was evident, that they meant, as far as in them lay, to confound all those, whom they could not convert; it was resolved by the majority of voices, not half of the house being present at that unseasonable time of the debate, "that they should accuse the duke of Richmond to the lords to be one of the malignant party, and an evil counsellor to his majesty; and to desire them to join in a request to the king, that he might be removed from any office or employment about his person;" which was solemnly commended to the lords accordingly, and by them so far received, that though the desire was rejected, no dislike or disapprobation of the matter or the manner was in the least manner discovered, or insisted on.

All things thus prepared, and so many lords driven and kept from the house, besides the bishops, and they that stayed there, by this last instance, instructed how to carry themselves, at least how they provoked the good lords to protest, they resolved once more to try whether the house of peers would be induced to join in the business of the militia, which they had twice refused; and to that purpose, their old friends of the city in the same numbers flocked to Westminster, but under the new, received, and allowed style of petitioners; but as unlike petitioners to any of those lords or commons, whom they understood to be malignant, as the other tumults had been. From these herds there were two notable petitions delivered to the house of commons, the one from the porters, their number, as they said, consisting of fifteen thousand; the other under the title of many thousands of poor people in and about the city of London. The porters, with great eloquence, confessed "the unexpressible pains that honourable house had taken for the good of church and state; which deserved to be recorded to their eternal fame, though the effects of those unwearied endeavours

"were not produced, by reason of the prevalence of that adverse, malignant, bloodsucking, rebellious party, by the power of which the privileges of parliament, and the liberty of the subject was trampled upon, the rebellion in Ireland increased, and all succours and relief for that kingdom obstructed." They said, "That trade had been long languishing, but was now dead by the fears, jealousies, and distractions they lay under, for want of fortification of the cinque ports, which was a great encouragement to the papists to make insurrection, and did much animate a foreign power to invade us: that by the deadness of trade they did want employment in such a measure, as did make their lives very uncomfortable; therefore their request was, that that extreme necessity of theirs might be taken into serious consideration, and that the honourable house of commons would fall upon the speediest course for abating and quelling the pride, outrage, and insolency of the adverse party at home; that the land might be secured by fortifying the cinque ports, and putting the people into a posture of defence, that all their fears, or as many as could, might be removed, and that trade might be again set up and opened, that so their wants might be in some measure supplied. They further desired that justice might be done upon offenders, according as the atrocity of their crimes had deserved; for if those things were any longer suspended, they should be forced to extremities not fit to be named, and to make good that saying, that necessity hath no law. They said they had nothing to lose but their lives, and those they would willingly expose to the utmost peril, in defence of the house of commons, according to their protestation," &c.

The other was a petition in the names of many thousands of poor people, and brought by a great multitude of such, who seemed prepared for any exploit. I have thought fit, for the rareness of it, and the rare effect it produced, to insert that petition in terms as it was presented, thus.

*To the honourable the house of commons now assembled in parliament.*

"The humble petition of many thousands of poor people in and about the city of London,

"Humbly sheweth, that your petitioners have lain a long time under great pressures, and grievances both in liberties and consciences, as hath been largely, and sundry times, shewed and declared, by several petitions exhibited to this honourable assembly both by the citizens and apprentices of the city of London, and divers counties and parts of this kingdom, from which we hoped long ere this, by your pious care, to have been delivered.

"But now we, who are of the meanest rank and quality, being touched with penury, are very sensible of the approaching storms of ruin, which hang over our heads, and threaten to overwhelm us, by reason of the sad distractions occasioned chiefly and originally, as your petitioners humbly conceive, by the prevalence of the bishops, and the popish lords, and others of that malignant faction; who make abortive all good motions, which tend to the peace and tranquillity of this kingdom of England, and have hitherto hindered the sending relief to our brethren in Ireland, al-

"though they lie weltering in blood; which hath given such head to the adversaries, that we justly fear the like calamities inevitably to befall us here, when they have vented their rage and malice there.

"All which occasions so great a decay and stop of trade, that your petitioners are utterly impoverished, and our miseries are grown insupportable, we having already spent all that little means, which we had formerly, by God's blessing, and our great labour, obtained; and many of us have not, nor cannot tell where to get, bread to sustain ourselves and families; and others of us are almost arrived at the same port of calamity; so that unless some speedy remedy be taken for the removal of all such obstructions, which hinder the happy progress of your great endeavours, your petitioners shall not rest in quietness, but shall be forced to lay hold on the next remedy which is at hand, to remove the disturbers of our peace; want and necessity breaking the bounds of modesty: and rather than your petitioners will suffer themselves, and their families, to perish through hunger and necessity, though hitherto patiently groaned under, they cannot leave any means unessayed for their relief.

"The cry therefore of the poor and needy, your poor petitioners, is, that such persons, who are the obstacles of our peace, and hinderers of the happy proceedings of this parliament, and the enjoyment of the looked for purity of religion, safety of our lives, and return of our welfares, may be forthwith publicly declared, to the end they may be made manifest; the removal of whom we humbly conceive will be a remedy to cure our miseries, and put a period to these distractions: and that those noble worthies of the house of peers, who concur with you in your happy votes, may be earnestly desired to join with this honourable house, and to sit and vote as one entire body; which we hope will remove from us our destructive fears, and prevent that, which apprehension will make the wisest and peaceablest men to put in execution.

"For the Lord's sake hear us, and let our religion, lives, and welfares be precious in your sight, that the loins of the poor may bless you, and pray," &c.

After this horrible petition delivered, the house, according to its gracious custom, ordered thanks to be given for their great kindness. The which when delivered by the speaker, who told them that the house was in consideration of those things, whereof they complained, some of that rabble, no doubt as they had been taught, replied, "that they never doubted the house of commons, but they heard all stuck in the lords' house, and they desired to know the names of those peers, who hindered the agreement between the good lords and the commons;" which they pressed with unheard of rudeness and importunity, and with a seeming unwillingness withdrew, whilst the house took the matter into further consultation.

Yet notwithstanding this provocation, and that it was urged by many members, some which had been assaulted and ill intreated by that rabble in their passage to the house, "that the countenancing such licentious persons and proceedings would be a great blemish to their counsels," they were again called in; and told, "that the house of commons had endeavoured, and would

"continue those endeavours for their relief; and they doubted not, when they had delivered their petition, and what they had said, to the lords, which they would presently do, the causes of their evils would be found out, and some speedy course resolved upon for their relief; and therefore desired them with patience to attend a further answer." And accordingly that petition was solemnly read, and delivered to the lords at a conference; and the conference no sooner ended, than Mr. Hollis, one of those five whom the king had accused a month before of high treason, was sent to the lords in a message to desire them, "that they would join with the house of commons in their desire to the king about the militia;" to which he added, "that if that desire of the house of commons was not assented to, he desired those lords who were willing to concur, would find some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them."

After which motion and message, the lords again resumed the debate; which the earl of Northumberland begun with a profession, "that whosoever refused, in that particular, to join with the house of commons, were, in his opinion, enemies to the commonwealth;" when the major part of that house had twice before refused to concur with them in it. Yet when his lordship was questioned for that unparliamentary language, all the other lords of that faction joined with him; and declared, "that it was their opinions likewise:" the rabble being at the door to execute whatever they were directed: so that many lords, out of a just indignation to see their honours and their liberties sacrificed to the people by themselves; others, out of real fear of being murdered, if they should, in that conjuncture of time, insist on their former resolutions, withdrawing themselves; the major part of those, who stayed, concluded to join with the house of commons in their desire [concerning] the militia.

Within two days after this agreement and submission of the lords, another petition was presented to the commons, in the name of the inhabitants of the county of Surrey, by a multitude of people, who were, or pretended to be, of that county, and subscribed by above two thousand hands. Their petition was of the ordinary strain, full of devotion to the house of commons, and offering to execute all their commands; but with it they presented likewise a petition, which they intended to present to the lords, if they approved it, and was subscribed by above two thousand hands; by which it may appear where that petition was drawn, and when, however the hands were procured. The petition to the lords took notice "of their happy concurrence with the house of commons in settling the militia, and forts, in such hands as the commonwealth might confide in, and the kingdom in such a posture as might be for its defence and safeguard: yet they complained of the miserable condition of Ireland, which, they said, by the delay it had found amongst their lordships, notwithstanding the pressing endeavours of the house of commons, together with many of their lordships, had been exposed to the inhuman cruelties of their merciless enemies. With like grief they apprehended the distractions of this nation, the composure of

"which, they said, was altogether hopeless, so long as the king's throne was surrounded with evil counsellors, and so long as the votes of popish lords and bishops were continued in their house."

"Wherefore they did humbly pray, and beseech their lordships, that they would go on in a constant union with the house of commons, in providing for the kingdom's safety; that all evil counsellors might be found out, Ireland relieved; that the votes of the popish lords and bishops might be speedily removed; that so the peace of the kingdom might be established, the privileges of parliament vindicated, and the purity of religion settled and preserved. And, they said, they should be in duty obliged to defend, and maintain with their lives and estates, their lordships, so far as they should be united with the honourable house of commons, in all their just and pious proceedings."

Which petition was read in the house of commons, and approved, and the petitioners thanked for their kind expressions therein; and then it was delivered by them at the bar of the house of peers; who, within a day or two, passed both the bill for taking away the bishops' votes, and [that concerning] pressing, which had lain so long desperate, whilst the lords came, and sat with freedom in the house. And these marvellous things done, they again adjourn both houses into London, to lay the scene for future action.

Upon the second of February, some members, appointed by both houses, attended his majesty at Windsor with their petition, "that he would forthwith put the Tower of London, and all other forts, and the whole militia of the kingdom, into the hands of such persons, as should be recommended unto his majesty by both houses of parliament; which, they assured themselves, would be a hopeful entrance into those courses, which, through God's blessing, should be effectual for the removing all diffidence, and misapprehension betwixt his majesty and his people; and for establishing and enlarging the honour, greatness, and power of his majesty, and royal posterity; and for the restoring and confirming the peace and happiness of his loyal subjects in all his dominions. And to that their most necessary petition, they said, they did, in all humility, expect his speedy and gracious answer, the great distractions, and distempers of the kingdom, not admitting any delay."

At the same time they likewise presented another petition to him, concerning the accused members; in which they besought him "to give directions, that his parliament might be informed, before Friday next, (which was within two days,) what proof there was against them, that accordingly they might be called to a legal trial; it being the undoubted right and privilege of parliament, that no member of parliament could be proceeded against, without the consent of parliament."

His majesty now found that these persons could not be compounded with, and that their purpose was, by degrees, to get so much power into their hands, that they need not care for what was left in his; and that the lords were in no degree to be relied on to maintain their own privileges, much less to defend his rights; and that they had the power to impose generally upon the people's un-

derstandings, contrary to their own senses, and to persuade them, "that they were in danger to be invaded by foreign enemies," when the king was not only in peace with all Christian princes, but almost all other nations so embroiled in war, that they all desired the friendship and assistance of England; none was in case or condition to disturb it: "and that there was a decay and deadness of trade, and want and poverty growing upon the whole kingdom," when no man living had ever remembered the like plenty over the whole land, and trade was at that height, that the like had never been known.

He resolved therefore to remove himself to a greater distance from London, where the fears and jealousies grew; and constantly to deny to pass any act, that should be recommended to him from the two houses, except what might concern Ireland, till he might have a full prospect of all they intended to demand, and an equal assurance how far they intended to gratify him for all his condescensions; which resolution was very parliamentary, it having been rarely known, till this present parliament, that the king consented to any acts, till the determination of the session.

The truth is, when his majesty found the extreme ill success of the accusation against the members, and that the tumults, and the petitioners, were no other than an army at the disposal of those, in whom he had no reason to put his confidence, and that all such, who expressed any eminent zeal to his service, would be taken from him under the style of delinquents and malignants, he resolved that the queen, who was very full of fears, should go to Portsmouth, colonel Goring, who was governor thereof, having found means to make good impressions again in their majesties of his fidelity; and that himself would go to Hull, where his magazine of cannon, arms, and munition was; and that being secured in those strong places, whither they who wished him well might resort, and be protected, he would sit still, till they who were over-active would come to reason.

But this, though resolved with so much secrecy, that it was not communicated to three persons, (as I have been since assured by those who knew,) whether by the treachery of one of those few, or by the curiosity of others, (which I rather believe,) who found means to overhear all private discourses, (as both bedchambers were inhabited, and every corner possessed, by diligent spies upon their master and mistress,) was imparted to those, who procured those orders before mentioned for Hull and Portsmouth; by reason whereof, and the advice, and promise of many lords, "that they would firmly unite themselves for the just support of the regal power," with the extreme apprehension the queen had of danger, that counsel was laid aside. That which wrought so much upon the queen's fears, besides the general observation how the king was betrayed, and how his rights and power were every day wrested from him, was an advertisement, that she had received, of a design in the prevalent party, to have accused her majesty of high treason; of which, without doubt, there had been some discourse in their most private cabals, and, I am persuaded, was imparted to her upon design, and by connivance, (for there were some incorporated into that faction, who exactly knew her nature, passions, and infirmities,) that the disdain of it might transport her to somewhat,

which might give them advantage. And shortly after that discovery to her majesty, those persons before mentioned were accused of high treason; yet afterwards, when they had received the full fruits, they found means to complain, "as a great argument of the malignity of those persons of nearness to both their majesties, that an infusion had been made to the queen, that there was a purpose of accusing her of high treason," and solemnly by message "besought her to discover, who had done that malicious office;" when they very well knew who it was, and for whose sake the queen was brought to return answer, "that she had heard such a discourse, but took no notice of it, as never believing it:" whereas, if they could have been compelled to have discovered, how they knew that the queen had been informed, all the secret would have appeared; the same person first telling her what was in projection against her, and then returning intelligence of any expressions and distemper, he might easily observe upon the apprehension which the other begat.

But both king and queen were then upon that disadvantage, that all their words and actions, which were the pure results of their own reasons and judgments upon what they saw every day occurred, were called the effects of evil counsels, that so they might take the liberty to reproach them with the more license; whilst what they received by the most secret perjury of bedchamber spies, or what they forged themselves, was urged as the resultants of common fame, or the effects of their fears and jealousies, to the rancour of which the most precious balm of the crown must be applied. And therefore it was concluded, "that the queen should take the opportunity of her daughter the princess Mary's journey into Holland," (who had been before married to the young prince of Orange, and was now solemnly desired by the States' ambassadors to come into that country,) "to transport herself into Holland, patiently to expect an amendment of the affairs of England; and that the king should retire into the north, and reside at York, and deny all particulars, till the whole alteration should be framed." But the first resolution concerning the queen was only published; the other, concerning the king, communicated to very few; both their majesties being reduced to so great wants, that the queen was compelled to coin, or sell, her chamber plate, for the supply of her most necessary occasions, there being no money in the exchequer, or in the power of the ministers of the revenue; and the officers of the customs, out of which the allowance for the weekly support of their majesties' household had been made, being enjoined by the house of commons, not to issue out any money, without their particular consent and approbation.

It was evident now that the accused members were too mighty for the king, or the law, and that they would admit no other judges of their guilt, than themselves, nor rules of proceeding, than the plurality of their own voices: and therefore the king resolved to give over any more thought of that business. And so to that petition he answered, "that as he once conceived that he had ground enough to accuse them, so now he found as good cause wholly to desert any prosecution of them." The other petition concerning the militia gave him more trouble; for though he was resolved in no

degree to consent to it, yet he was willing, till all things could be ready for the queen's journey, and so for his own remove, [rather] to delay it, than deny it; lest the same army of petitioners might come to Windsor to persuade him; which had converted, or prevailed over the house of peers. And he was persuaded by some, who thought they knew the temper of both houses, that though they were now united in the matter, they might easily be divided upon the circumstances; and that they would not be of one mind in the election of the persons to be confided in. So to that petition his majesty returned this answer:

"That he was willing to apply a remedy not only to their dangers, but to their doubts and fears; and therefore, that when he should know the extent of power, which was intended to be established in those persons, whom they desired to be commanders of the militia in the several counties, and likewise to what time it should be limited, that no power should be executed [by] his majesty alone without the advice of parliament, then he would declare, that he would be content to put in all the forts, and over the militia, such persons as both houses of parliament should either approve, or recommend to him; so that they before declared the names of the persons, whom they would approve or recommend, and so that no persons should be named by them, against whom his majesty should have just and unquestionable exception."

Which answer, though it was not a consent, gave them notable encouragement, and exceedingly united the vulgar minds to them; who concurred only with them, as they saw them like to prevail in what they went about. And there was no danger of any disunion in the nomination of persons; because, though they should at first admit such into the number, whom they could not sufficiently trust, nor plausibly except against, yet when they were once possessed of the power of nomination, they might easily weed out those, which were not agreeable to the soil they were planted in. However this would take up some time; and therefore to keep the king's inclination to gratify them (for so they would understand it) warm, the same day they received this answer, they returned a message of thanks; and desired his majesty, "whilst they were preparing all other particulars according to his command, that he would confer the custody of the Tower upon sir John Coniers," whom his majesty had lately recommended to them, as a person of great merit. With which being surprised, and desired likewise by sir John Byron to free him from the agony and vexation of that place, which had exposed his person and reputation to the rage and fury of the people, and compelled him to submit to such reproaches, as a generous spirit could not brook without much regret; for he had upon frivolous surmises been sent for as a delinquent, and been brought upon his knees at the bar of both houses; his majesty consented to that alteration, and made sir John Coniers lieutenant of the Tower. Which was such an instance of his yielding upon importunity, that from that time they thought themselves even possessed of the whole militia of the kingdom.

Whilst all diligence was used in making preparation for the queen's journey, to divert their councils from other inquisitions, the king (who had received so many sharp expostulations for breach of privi-

leges, and other attempts upon their reputations) resolved, upon the publication of a bold scandal upon himself by one of their principal members, to expostulate with them, and try what satisfaction and reparation they were prepared to give to him, who exacted so much from him. All opportunities had been taken in public, and all license given to private and clandestine forgeries, to lay odious or envious imputation on the king and queen, in the business of Ireland; and to impute the progress and success of that rebellion to a connivance, if not a countenance, from the court: the not levying men, and not sending provisions, imputed to his majesty; though he had, as is before observed, offered to levy ten thousand volunteers for that service, and had consented cheerfully to every proposition, that had been made with the least reference to the assistance of that kingdom. Indeed he was so alarmed with those perpetual odious impositions, which he perceived wrought very pernicious effects in the minds of the people, that he was compelled to consent to many things contrary to his judgment and kingly policy, to prevent greater inconveniences by those scandals, which he saw were prepared for him. So when several propositions were recommended to him by the two houses concerning those supplies, which were to be sent out of Scotland, amongst the rest, there was one, "that the Scots should have the command and keeping of the town and castle of Carrickfergus; and if any regiments, or troops, in that province should join with them, that they should receive orders from the commander of the Scottish forces." The king consented to all the rest, though there were matters unreasonable enough in favour of that nation; but, "that," he said, "he could not approve of;" and wished "the houses to take that proposition again into consideration, as a business of very great importance, which he doubted might prove prejudicial to the crown of England, and the service intended." And he said, "if the houses desired it, he would be willing to speak with the Scottish commissioners, to see what satisfaction he could give them therein." This answer was no sooner read, but both houses voted, "that whosoever gave the king advice, or counsel, to send that answer, was an enemy to the king and kingdom," and a committee appointed to find out who those evil counsellors were. So that, the Scottish commissioners pressing him, "that, being their native king, he would not publish a less trust and confidence in them, than their neighbour nation had done," his majesty thought fit to consent to the whole, as the two houses had advised.

Then, in the carrying on the war, they allowed his majesty so little power, that when he recommended some officers of prime quality, reputation, and experience in the war, to the lord lieutenant to be employed in that service, the house of commons by express order, and after they knew that his majesty had recommended them, rejected them, because they were taken notice to have attended upon the king at Whitehall, as a guard to his person. And, after all this, they took all occasions to asperse him with any ommissions that were in that great work; as Mr. Pym had more particularly done, in that speech before taken notice of, at the conference with the lords, upon the delivery of those seditious petitions; of which the king could not take notice,

lest he should be again reproached with breach of privilege.

But when that speech was printed by order of the house, the king thought he had an opportunity to require a vindication; and therefore, in a letter to the speaker, he sent this message: "That he had taken notice of a speech, pretended by the title to have been delivered by Mr. Pym in a conference, and printed by order of the house of commons; in which it was affirmed, that since the stop upon the ports against all Irish papists by both houses, many of the chief commanders, now in the head of the rebels, have been suffered to pass by his majesty's immediate warrant: and being certain of having used extreme caution in the granting of passports into Ireland, he conceived, either that paper not to have been so delivered, and printed, as is pretended; or that house to have received some misinformation. And therefore his majesty desired to know, whether that speech had been so delivered and printed; and if it had, that the house would review, upon what information that particular had been grounded, that either it might be found upon reexamination false, and so both the house, and his majesty, to have been injured by it; or that his majesty might know, by what means, and by whose fault, his authority had been so highly abused, as to be made to conduce to the assistance of that rebellion, which he so much detested and abhorred; and that he might see himself fully vindicated from all reflections of the least suspicion of that kind."

It was some time before they would vouchsafe any answer to the king upon this message; but at last they returned, "that the speech, mentioned in that message, was printed by their order, and what was therein delivered was agreeable to the sense of the house: that they had received divers advertisements concerning the several persons, Irish papists, and others, who had obtained his majesty's immediate warrant for their passing into Ireland, since the order of restraint of both houses; some of which, as they had been informed, since their coming into Ireland, had joined with the rebels, and been commanders amongst them; and some others had been stayed, and were yet in safe custody."

Then they named some, to whom licenses had been granted before the order of restraint, and were still in England; and said, "there were others, whose names they had not yet received, but doubted not, upon examination, they would be discovered."

To this the king replied, and told them, "that as he had expressed a great desire to give them all possible satisfaction to all their just requests, and a readiness to rectify, or retract, anything done by himself, which might seem to trench upon their privileges by any mistake of his; so he hoped, they would be ready, upon all occasions, to manifest an equal tenderness and regard of his honour, and reputation with his subjects: and therefore he expected they should review his message concerning Mr. Pym's speech, and their answer, with which he could not rest satisfied. He said, he was most assured that no person, who had command in the head of the rebels, had passed by his warrant, or privy. And then, he desired them to consider, whether such a general

"information, and advertisement, as they implied in their answer, without the name of any particular person, was ground enough for such a direct and positive affirmation, as was made in that speech; which, in respect of the place and person, and being now acknowledged to be according to the sense of the house, was of that authority, that his majesty might suffer in the affections of many of his good subjects, and fall under a possible construction, considering many scandalous pamphlets to such a purpose, of not being sensible enough of that rebellion, so horrid and odious to all Christians; by which, in that distraction, such a danger might possibly ensue to his majesty's person and estate, as he was well assured they would endeavour to prevent. And therefore he thought it very necessary, and expected that they should name those persons who had passed by his license, and were then in the head of the rebels: or if, upon their reexamination, they did not find particular evidence to prove that assertion, (as he was most confident they never could,) as that affirmation, which reflected upon his majesty, was very public, so they would publish such a declaration, whereby that mistake might be discovered; he being the more tender in that particular which had reference to Ireland, as being most assured, that he had been, and was, from his soul, resolved to discharge his duty, for the relief of his poor protestant subjects, and the utter rooting out that rebellion; so that service had not suffered for the want of any thing proposed to him, and within his power to grant."

He said, "in this matter he had diligently examined his own memory, and the notes of his secretaries;" and then named all the Irish persons to whom he had given any licenses to go into that kingdom, since the beginning of the rebellion; and said, "he was well assured, none of them were with the rebels; and though some of them might be papists, yet he had no reason to discover any suspicion of them, in respect of their alliance with persons of great honour and power in that kingdom, of whose fidelity to him he had good assurance; and the lords justices themselves having declared, that they were so far from owning a jealousy of all papists there, that they had put arms into the hands of divers noblemen of that religion, within the pale, which the parliament had well approved of. And therefore, unless the first affirmation of the house of commons could be made good by some particulars, he expected a vindication by such a declaration as he had proposed; which, he said, was, in duty and justice, due to him."

But this, and any thing else could be said, was so far from procuring any reparation, or his majesty from receiving any, that when they perceived the king still pressed for that justice, and apprehended that many would believe it due to him, and that the prejudice they had raised to him for Ireland would be removed thereby, they confidently published another declaration of several persons' names, to whom they said the king had granted passes, and were then commanders in the rebels' army, of whose names his majesty had never before heard, to whom no passes had been granted, neither did he believe that there were such men in nature; and so left the people to believe as they found

themselves inclined upon the king's denial, or their so particular and positive affirmation.

These proceedings of the parliament made a deep impression upon all noble and generous persons, who found that their pride and ambition was so great, that they resolved to remove all persons out of their way, who were like to stand in their way, by opposing anything they desired, or by filling any place, or office, which they designed should be executed by some other person, in whom they could confide. The earl of Newcastle, who was governor to the prince, knew very well in what prejudice he stood with the earls of Essex and Holland, (two very powerful persons,) upon the account of the challenge formerly mentioned to be sent by him to the latter of the two, who would be glad of any opportunity to expose him to an affront; and that they would find opportunities enough upon the account of his known affections to the king's service, from which it was not possible to remove or startle him. He knew they liked not that he should have the government of the prince, as one, who would infuse such principles into him, as would not be agreeable to their designs, and would dispose him to no kindness to their persons, and that they would not rest, till they saw another man in that province; in order to which, they would pick all quarrels they could, and load him with all reproaches, which might blast him with the people, with whom he had a very good reputation. Upon those considerations, and some other imaginations upon the prospect of affairs, he very wisely resolved to retire from the court, where he had expended much of his own fortune, and only made himself obnoxious to the malice and envy of other pretenders; and desired the king to approve of this his reasonable inclination, and to put the prince under the tuition of some person of honour of unquestionable fidelity to him, and above the reach of popular disapprobation; and at the same time mentioned the marquis of Hertford, who was indeed superior to any temptations. The king could not dislike the earl's judgment upon his own interest and concernment; and did foresee likewise that he might probably have occasion to use his service under another qualification; and therefore was well contented to dismiss him from the prince.

The marquis of Hertford was a man of great honour, great interest in fortune and estate, and of an universal esteem over the kingdom; and though he had received many and continued disobligations from the court, from the time of this king's coming to the crown, as well as during the reign of king James, in both which seasons, more than ordinary care had been taken to discountenance and lessen his interest; yet he had carried himself with notable steadiness, from the beginning of the parliament, in the support and defence of the king's power and dignity, notwithstanding all his allies, and those with whom he had the greatest familiarity and friendship, were of the opposite party; and never concurred with them against the earl of Strafford, whom he was known not to love, nor in any other extravagancy.

And then, he was not to be shaken in his affection to the government of the church; though it was enough known that he was in no degree biassed by any great inclination to the person of any churchman. And with all this, that party carried themselves towards him with profound respect,







Engraved by B. Robinson

**WILLIAM SEYMOUR, MARQUIS OF HERTFORD**

**OB 1660**

**FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF**

**THE RIGHT HON<sup>BLE</sup> THE EARL OF CLARENDON**



not presuming to venture their own credit in endeavouring to lessen his.

It is very true, in many respects he wanted some of those qualities, which might have been wished to be in a person to be trusted in the education of a great and a hopeful prince, and in the forming of his mind and manners in so tender an age. He was of an age not fit for much activity and fatigue, and loved, and was even wedded so much to his ease, that he loved his book above all exercises; and had even contracted such a laziness of mind, that he had no delight in an open and liberal conversation; and cared not to discourse, and argue on those points, which he understood very well, only for the trouble of contending; and could never impose upon himself the pain that was necessary to be undergone in such a perpetual attendance: but then those lesser duties might be otherwise provided for, and he could well support the dignity of a governor, and exact that diligence from others, which he could not exercise himself; and his honour was so unblemished, that none durst murmur against the designation; and therefore his majesty thought him very worthy of the high trust, against which there was no other exception, but that he was not ambitious of it, nor in truth willing to receive and undergo the charge, so contrary to his natural constitution. But [in] his pure zeal and affection for the crown, and the conscience, that in this conjuncture his submission might advance the king's service, and that the refusing it might prove disadvantageous to his majesty, he very cheerfully undertook the province, to the general satisfaction and public joy of the whole kingdom; and to the no little honour and credit of the court, that so important and beloved a person would attach himself to it under such a relation, when so many, who had scarce ever eaten any bread but the king's, detached themselves from their dependence, that they might without him, and against him, preserve and improve those fortunes, which they had procured and gotten under him, and by his bounty.

The bill for the taking away the votes of bishops out of the house of peers, which was called a bill for taking away all temporal jurisdiction from those in holy orders, was no sooner passed the house of peers, than the king was earnestly desired "to give his royal assent to it." The king returned, "that it was a matter of great concernment; and therefore he would take time to advise, and would return an answer in convenient time." But this delay pleased not their appetite; they could not attempt their perfect reformation in church and state, till those votes were utterly abolished; therefore they sent the same day again to the king, who was yet at Windsor, and gave him reasons to persuade him "immediately to consent to it; one of which was the grievances the subjects suffered by their exercising of temporal jurisdiction, and their making a party in the lords' house: a second, the great content of all sorts by the happy conjunction of both houses in their absence: and a third, that the passing of that bill would be a comfortable pledge of his majesty's gracious assent to the future remedies of those evils, which were to be presented to him, this once being passed."

Reasons sufficient to have converted him, if he had the least inclination or propensity to have concurred with them. For it was, upon the matter,

to persuade him to join with them in this, because, that being done, he should be able to deny them nothing.

However those of greatest trust about the king, and who were very faithful to his service, though in this particular exceedingly deceived in their judgments, and not sufficiently acquainted with the constitution of the kingdom, persuaded him "that the passing this bill was the only way to preserve the church, there being so united a combination in this particular, that he would not be able to withstand it. Whereas, by the passing this bill, so many persons in both houses would be fully satisfied, that they would join in no further alteration: but, on the other hand, if they were crossed in this, they would violently endeavour an extirpation of bishops, and a demolishing of the whole fabric of the church.

"They alleged that he was, upon the matter, deprived of their votes already, they being not suffered to come to the house, and the major part in prison under an accusation of high treason, of which there was not like to be any reformation, till these present distempers were composed; and then that by his power, and the memory of the indirect means that had been used against them, it would be easier to bring them in again, than to keep them in now. They told him, there were two matters of great importance pressed upon him for his royal assent, but they were not of equal consequence and concernment to his sovereign power; the first, that bill for the bishops' votes; the other, the whole militia of the kingdom, the granting of which would absolutely divest him of all regal power; that he would not be able to deny both; but by the granting the former, in which he parted with no matter of moment, he would, it may be, not be pressed in the second; or if he were, that as he could not have a more popular quarrel to take up arms, than to defend himself, and preserve that power in his hands, which the law had vested in him, and without which he could not be a king; so he could not have a more unpopular argument for that contention, than the preservation of the bishops in the house of peers, which few men thought essential, and most men believed prejudicial, to the peace and happiness of the kingdom."

These arguments, though used by men whom he most trusted, and whom he knew to have opposed that bill in its passage, and to be cordially friends to the church of England in discipline and doctrine, prevailed not so much with his majesty, as the persuasions of the queen; who was not only persuaded to think those reasons valid, and that indeed the church could be only that way preserved, (and there are that believe that infusion to have been made in her by her own priests, by instructions from France, and for reasons in state of that kingdom,) but that her own safety very much depended upon the king's consent to that bill; and that, if he should refuse it, her journey into Holland would be crossed by the parliament, and possibly her person in danger either by the tumults, which might easily be brought to Windsor from Westminster, or by the insurrection of the countries in her passage from thence to Dover, where she intended to take shipping. Whereas by her intercession with the king to do it, she would lay a most seasonable and popular obligation upon the whole nation, and leave a pleasant

odour of her grace and favour to the people behind her, which would prove much to her advantage in her absence; and she should have the thanks for that act, as acquired by her goodness, which otherwise would be extorted from the king, when she was gone.

These insinuations and discourses so far satisfied the queen, and she the king, that, contrary to his most positive resolution, the king consented, and sent a commission for the enacting both that bill, and the other for pressing; which was done accordingly, to the great triumph of the *boutefeus*, the king sending the same day that he passed those bills, which was the fourteenth of February, a message to both houses; "That he was assured his having passed those two bills, being of so great importance, so suddenly, would serve to assure his parliament, that he desired nothing more than the satisfaction of his kingdom." For Ireland, he said, "as he had concurred in all propositions made for that service by his parliament, so he was resolved to leave nothing undone for their relief, which should fall within his possible power, nor would refuse to venture his own person in that war, if the parliament should think it convenient, for the reduction of that miserable kingdom."

The passing that bill for taking away the bishops' votes, exceedingly weakened the king's party; not only as it perpetually swept away so considerable a number out of the house of peers, which were constantly devoted to him; but as it made impression on others, whose minds were in suspense, and shaken, as when foundations are dissolved. Besides, they that were best acquainted with the king's nature, opinions, and resolutions, had reason to believe, that no exigence could have wrought upon him to have consented to so anti-monarchical an act; and therefore never after retained any confidence, that he would deny what was importunately asked; and so, either absolutely withdrew themselves from those consultations, thereby avoiding the envy, and the danger of opposing them, or quietly suffered themselves to be carried by the stream, and consent to any thing that was boldly and lustily attempted.

And then it was so far from dividing the other party, that I do not remember one man, who furiously insisted on, or indeed heartily wished, the passing of that bill, that ever deserted them, till the kingdom was in a flame: but, on the contrary, very many, who cordially and constantly opposed that act, as friends rather to monarchy than religion, after that bill, never considered or resisted any attempt, or further alteration, in the church, looking upon the bishops as useless to sovereignty, and so not of importance enough to defend by the sword. And I have heard the same men, who urged before, "that their places in that house had no relation to the discipline of the church, and their spiritual jurisdiction, and therefore ought to be sacrificed to the preservation of the other, upon which the peace and unity of religion so much depended," since argue, "that since their power in that house, which was a good outwork to defend the king's from invasion, was taken away, any other form of government would be equally advantageous to his majesty; and therefore, that he ought not to insist on it, with the least inconvenience to his condition."

That which was above, or equal to all this, [was,] that, by his majesty's enacting those two bills, he had, upon the matter, approved the circumstances of their passage, which had been by direct violence, and force of arms; in which case, he ought not to have confirmed the most politic, or the most pious constitutions: *Male posita est lex, quæ tumultuarie posita est*, was one of those positions of Aristotle, which hath never been since contradicted; and was an advantage, that, being well managed, and stoutly insisted upon, would, in spite of all their machinations, which were not yet firmly and solidly formed, have brought them to a temper of being treated with. But I have some cause to believe, that even this argument, which was unanswerable for the rejecting that bill, was applied for the confirming it; and an opinion that the violence and force, used in procuring it, rendered it absolutely invalid and void, made the confirmation of it less considered, as not being of strength to make that act good, which was in itself null. And I doubt this logic had an influence upon other acts of no less moment than these: but it was an erroneous and unskilful suggestion; for an act of parliament, what circumstances soever concurred in the contriving and framing it, will be always of too great reputation to be avoided, or to be declared void, by the sole authority of any private persons, [or] the single power of the king himself. And though the wisdom, sobriety, and power, of a future parliament, if God shall ever bless the kingdom with another regularly constituted, may find cause to declare this or that act of parliament void; yet there will be the same temper requisite to such a declaration, as would serve to repeal it. And it may be then, many men, who abhorred the thing when it was done, for the manner of doing it, will be of the civilian's opinion, *fieri non debuit, factum valet*; and never consent to the altering of that, which they would never have consented to the establishing: neither will that single precedent of the judges in the case of king Henry the Seventh, when they declared the act of attainder to be void by the accession of the crown, though if he had in truth been the person, upon whom the crown had lineally and rightfully descended, it was good law, find, or make, the judges of another age parallel to them, till the king hath as strong a sword in his hand, and the people as much at his devotion and disposal; and then the making, and declaring law, will be of equal facility, though, it may be, not of equal justice. How much soever the king's friends were, for the reasons aforesaid, dejected upon the passing those two acts, it is certain, they who thought they got whatever he lost, were mightily exalted, and thought themselves now superior to any opposition: and what returns of duty and acknowledgment they made to the king for that grace and favour, is to be remembered in the next place.

The same day those two acts were by his majesty's commission confirmed, and as soon as a very short message of thanks for that favour, as much importing the safety of both kingdoms, of England and Ireland, was consented to, an ordinance for the settling the militia was consented to by both houses, and, together with a list of the names of such persons as for the present they meant to confide in, was immediately sent to the king for his approbation; the which, being the

most avowed foundation of all the miseries that have followed, will be here necessary to be inserted in the very terms and form it was agreed upon, and presented; and was as followeth.

*An ordinance of both houses of parliament for the ordering of the militia of the kingdom of England, and dominion of Wales.*

"Whereas there hath been of late a most dangerous and desperate design upon the house of commons, which we have just cause to believe to be the effect of the bloody counsels of the papists, and other ill affected persons, who have already raised a rebellion in the kingdom of Ireland, and, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like rebellion and insurrections in this kingdom of England, but also to back them with forces from abroad; for the safety therefore of his majesty's person, the parliament, and kingdom, in this time of imminent danger, it is ordained by the king, the lords, and commons, now in parliament assembled, That                   shall have power to assemble, and call together, all and singular his majesty's subjects within the county of                   as well within liberties, as without, that are meet and fit for the wars, and them to train, exercise, and put in readiness, and them, after their abilities, and faculties, well and sufficiently, from time to time, to cause to be arrayed and weaponed, and to take the muster of them in places most fit for that purpose. And                   shall have power within the said county to nominate and appoint such persons of quality, as to him shall seem meet, to be his deputy lieutenants to be approved of by both houses of parliament: and that any one, or more of the said deputies, so assigned and approved of, shall in the absence, or by the command of the said                   have power and authority to do and execute within the county of                   all such powers and authorities, before in this present ordinance contained; and shall have power to make colonels, and captains, and other officers, and to remove out of their places, and to make others from time to time, as he shall think fit for that purpose. And                   his deputies, colonels, and captains, and other officers, shall have further power and authority to lead, conduct, and employ, the persons aforesaid, arrayed and weaponed, as well within the county of                   as within any other part of this realm of England, or dominion of Wales, for the suppression of all rebellions, insurrections, and invasions, that may happen, according as they, from time to time, shall receive directions by his majesty's authority, signified unto them by the lords and commons, assembled in parliament. And it is further ordained, that such persons as shall not obey in any of the premises, shall answer their neglect and contempt to the lords and commons, in a parliamentary way, and not otherwise, nor elsewhere: and that every the powers, granted as aforesaid, shall continue, until it shall be otherwise ordered, or declared by both houses of parliament, and no longer. This to go also to the dominion of Wales."

A second act of the same day, and the only way they took to return their thanks and acknowledgment to the queen for her intercession, and media-

tion in the passing those bills, was the opening a letter they intercepted, which was directed to her majesty herself. The lord Digby, after their majesties going to Windsor, when he found in what umbrage he stood with the powerful and prevailing party, and that they were able to improve his going through a town in a coach and six horses to a warlike appearance, and so to expose him to the fury of the people, at least to the power of the counties, to be suppressed, as they had done by their order, or proclamation of the twelfth of January, before remembered, and appointed to be read in all market towns throughout England; concluded for his own security, and to free the king's councils from the imputation of his evil influence, to remove himself into some parts beyond the seas: and so, with the king's leave, and by his license, was transported into Holland, from whence he writ some letters to his friends at London, to give them an account where he was, and for supplying himself with those accommodations as he stood in need of. Amongst these letters there was one to his brother [brother-in-law] sir Lewis Dives, which, by the treachery of that person, to whose care it was intrusted for conveyance, was brought to the house of commons: and it being averred, "that it came from the lord Digby," whom they looked upon as a fugitive, they made no scruple of opening it; and finding another in it directed to the queen, after a very little pause they did the like; for which they made no other excuse, (when upon a message from the king they sent her the transcript, for the original they still kept) than, "that having opened the other letters, and finding in them sundry expressions full of asperity, and malignity to the parliament, they thought it very probable, that the like might be contained in that to her majesty; and that it would have been dishonourable to her majesty, and dangerous to the kingdom, if it should not have been opened: and they besought the king to persuade her majesty, that she would not vouchsafe any countenance to, or correspondence with, the lord Digby, or any other of the fugitives or traitors, whose offences depended under the examination and judgment of parliament."

In that letter to the queen were these words: "If the king betake himself to a safe place, where he may avow and protect his servants, from rage (I mean) and violence, for from justice I will never implore it; I shall then live in impatience, and in misery, till I wait upon you. But if, after all he hath done of late, he shall betake himself to the easiest and compliantest ways of accommodation, I am confident, that then I shall serve him more by my absence, than by all my industry." And in that to sir Lewis Dives were these words: "God knows, I have not a thought to make me blush towards my country, much less criminal; but where traitors have so great a sway, the honestest thoughts may prove most treasonable." Which gave those, that thought themselves concerned, so great offence, that, within two days after, they accused him of high treason; and finding no words in the letters would amount to that offence, they accused him of levying war against the king; which could have relation to no act of his, but what was before mentioned at Kingston upon Thames, when, to the terror of the king's subjects, he was seen there in a coach with six horses. Though this extravagancy of theirs

seems to be directed against a particular person, I could not omit it in this place, being accompanied with those circumstances. And it may be, posterity may look upon the severe persecution of a young man of admirable parts, and eminent hopes, in so implacable a manner, as a most pertinent instance of the tyranny and injustice of that time, not possible to end, but in so much wickedness as it hath since practised.

A third act of that day was the carrying up an impeachment to the lords against the king's attorney general, "for maliciously advising and contriving the articles upon which the lord Kimbolton, Mr. Hollis, Mr. Pym, Mr. Hambden, Mr. Strode, and sir Arthur Haalerig, had been accused by his majesty of high treason;" it being not thought security and reparation enough, that the king had waved any further proceeding against them, except they left such a monument of their power, that, upon what occasion or provocation soever, no man should presume to obey the king in the like command: so that the same fourteenth of February, that was celebrated for the king's condescension to that act for the putting the bishops out of the house of peers, is famous likewise for those three unparalleled acts of contempt upon the sovereign power; the demand of the sole power over all the militia of the kingdom; the opening letters directed to the sacred person of the queen; and the impeaching the attorney general, for performing the duty of his place, by his master's command. All which were very ill instances of that application and compliance his majesty had reason to expect, and some men had promised him he should receive.

Though the king was resolved in no degree to consent to the proposition for the militia, yet he thought not the time seasonable for his positive denial, the queen retaining still her fears of being stopped in her journey. Therefore, for the present, he returned answer, "that his dearest consort the queen, and his dear daughter the princess Mary, being then upon their departure for Holland, he could not have so good time to consider of a particular answer for a matter of so great weight, as that was; therefore he would respite the same till his return;" the king intending to accompany the queen to Dover, and, as soon as she was embarked, to return. They received this answer with their usual impatience, and the next day sent messengers to him, with that which they called an humble petition; in which they told him, "that they had, with a great deal of grief, received his answer to their just and necessary petition concerning the militia of the kingdom; which, by a gracious message formerly sent unto them, he had been pleased to promise should be put into such hands, as his parliament should approve of, the extent of their power, and the time of their continuance, being likewise declared; the which being now done, and the persons nominated, his majesty nevertheless reserved his resolution to a longer and a very uncertain time; which, they said, was as unsatisfactory and destructive as an absolute denial. Therefore they once again besought him to take their desire into his royal thoughts, and to give them such an answer, as might raise in them a confidence, that they should not be exposed to the practices of those who thirst after the ruin of this kingdom, and the kindling of that combustion in England,

"which they had in so great a measure effected in Ireland; from whence, as they were informed, they intended to invade this kingdom, with the assistance of the papists here. They said, nothing could prevent those evils, nor enable them to suppress the rebellion in Ireland, and secure themselves, but the instant granting of that their petition; which, they hoped, his majesty would not deny to those, who must, in the discharge of their duty to his majesty and the commonwealth, represent unto him, what they found so absolutely necessary for the preservation of both; which the laws of God and man enjoined them to see put in execution, as several counties by their daily petitions desired them to do, and in some places began already to do it of themselves." Notwithstanding all that importunity, the king made no other answer than formerly he had done, "that he would give a full answer at his return from Dover."

In the mean time, the house of commons, to whom every day petitions are directed by the several counties of England, professing all allegiance to them, govern absolutely, the lords concurring, or rather submitting, to whatsoever is proposed; inasmuch as when they had bailed the twelve bishops, who were in the Tower for the treason of their protestation, which they did the next day after the bill was passed for taking away their votes, the house of commons in great indignation expostulated with them, and caused them immediately again to be recommitted to the Tower. So they gave their private intimations to their correspondents in the counties, that they should make small entries upon the militia; which was done in many places, the people choosing their officers, and listing themselves, and so training and exercising under the names of volunteers; whereby they had opportunity to unite themselves, to know their confederates, observe those who were of other opinions, and to provide arms and ammunition against they should have occasion. The Tower of London was at their devotion, and Hull was their own; the mayor of that place having been lately sent for and reprehended, for having said, "that they ought not to have soldiers billeted upon them by the petition of right, and for refusing to submit that town, which was his charge, to the government of Mr. Hotham;" and after a tedious and chargeable attendance, without being brought to a public hearing, he was persuaded to submit; and so was discharged.

Then they fell to raising of monies under pretence of the relief of Ireland, and, for that purpose, prepared one act "for the payment of four hundred thousand pounds to such persons as were nominated by themselves, and to be disbursed and issued in such manner, and to such uses, as the two houses should direct," which the king confirmed accordingly; whereby they had a stock of credit to raise monies, whenever they found themselves put to it: and this could not be prevented; for the king having committed the carrying on the war of Ireland to them, and they being engaged both for the payment of the arrears to the officers of the northern army disbanded the summer before, and of the three hundred thousand pounds to the Scots, his majesty was necessitated to pass the act with such general clauses, that it might be in their power to divert the money to other uses

than those to which it was given; as it afterwards fell out.

The queen being shipped for Holland, his majesty returned to Greenwich, whither he had sent to the marquis of Hertford to bring the prince of Wales from Hampton-court to meet him; of which as soon as the houses were advertised, they sent a message to the king, who was upon his way from Dover, to desire him, "that the prince might not be removed from Hampton-court, for that they conceived his removal at that time might be a cause to promote jealousies and fears in the hearts of his good subjects, which they thought necessary to avoid;" and, at the same time, sent an express order to the marquis of Hertford, "to require him not to suffer the prince to go to Greenwich:" but his lordship, choosing rather to obey the king's commands than theirs, carried his highness to his father; of which the houses no sooner were informed, than they sent some members of both houses to Greenwich, "to bring the prince from thence to London." But when they came thither, they found the king, whom they did not expect there; and so made no attempt to perform that command. The reason of this extravagancy (besides their natural humour to affront the king, and this seeming care of the prince was a popular thing) was pretended to be an information they had received from a member of the house.

There was one Griffith, a young Welshman, of no parts or reputation, but for eminent license; this youth had long, with great boldness, followed the court, and pretended to preferment there; and so in the house had always opposed, as far as not consenting, all the undutiful acts towards the king, and, upon this stock of merit, had pressed more confidently for a reward; and, when the queen was ready to take shipping at Dover for Holland, he barefaced importuned her to mediate to the king, "that he might be forthwith admitted of the prince's bedchamber:" the which her majesty refusing, he forthwith told his companions, "that since he could not render himself considerable by doing the king service, he would be considerable by doing him disservice:" and so made great haste to London, and openly in the house told them, (the same day that the prince was to go to Greenwich,) "that if they were not exactly careful, they would speedily lose the prince; for, to his knowledge, there was a design and resolution immediately to carry him into France." From which senseless and groundless information, he was taken into their favour; and, his malice supplying the defect of other parts, was thenceforth taken into trust, and used as their *Bravo* to justify all their excesses in taverns and ordinaries. And I saw Mr. Hambden, shortly after this discovery, take him in his arms, telling him, "his soul rejoiced to see, that God had put it in his heart to take the right way."

To their message the king sent them word, "That to their fears and jealousies he knew not what answer to give, not being able to imagine from what grounds they proceeded; but if any information had been given to them to cause those apprehensions, he much desired the same might be examined to the bottom; and then he hoped that their fears and jealousies would be hereafter continued only with reference to his majesty's rights and honour."

The queen being gone, and the prince come to his father at Greenwich, the king sent an answer to the two houses concerning the militia; "that having, with his best care and understanding, perused and considered that, which had been sent him from both houses, for the ordering the militia to be made an ordinance of parliament by the giving of his royal assent, as he could by no means do it for many reasons, so he did not conceive himself obliged by any promise made to them in his answer to their former petition. He said, he found great cause to except against the preface, or introduction to that order; which confessed a most dangerous and desperate design upon the house of commons of late, supposed to be an effect of the bloody counsels of papists, and other ill-affected persons, by which many might understand (looking upon other printed papers to that purpose) his own coming in person to the house of commons on the fourth of January, which begot so unhappy a misunderstanding between him and his people. And for that, though he believed it, upon the information since given him, to be a breach of their privileges, and had offered, and was ready, to repair the same for the future, by any act should be desired from his majesty; yet he must declare, and require to be believed, that he had no other design upon that house, or any member of it, than to require, as he did, the persons of those five gentlemen he had before accused of high treason, and to declare that he meant to proceed against them legally and speedily; upon which he believed that house would have delivered them up.

"And he called the almighty God to witness, that he was so far from any intention, or thought, of force or violence, although that house had not delivered them according to his demand, or in any case whatsoever, that he gave those his servants, and others, who then waited on his majesty, express charge and command, that they should give no offence unto any man; nay, if they received any provocation or injury, that they should bear it without return; and he neither saw nor knew, that any person of his train had any other weapons, but his pen-sioners and guard, those with which they usually attend his person to parliament; and the other gentlemen, swords. And therefore he doubted not, but the parliament would be regardless of his honour therein, that he should not undergo any imputation by the rash and indiscreet expressions of any young men then in his train, or by any desperate words uttered by others, who might mingle with them without his consent or approbation.

"For the persons nominated to be the lieutenants of the several counties of England and Wales, he said, he was contented to allow that recommendation; only concerning the city of London, and such other corporations as by ancient charters had granted to them the power of the militia, he did not conceive that it could stand with justice or policy to alter their government in that particular. And he was willing forthwith to grant to every one of them, that of London and those other corporations excepted, such commissions, as he had granted this parliament to some lords lieutenants by their advice. But if that power were not thought



"enough, but that more should be thought fit to be granted to those persons named, than, by the law, is in the crown itself, he said, he thought it reasonable that the same should be by some law first vested in him, with power to transfer it to those persons; which he would willingly do: and whatever that power should be, to avoid all future doubts and questions, he desired it might be digested into an act of parliament, rather than an ordinance; so that all his subjects might thereby particularly know, both what they were to do, and what they were to suffer for their neglect; that so there might be the least latitude for them to suffer under any arbitrary power whatsoever.

"To the time desired for the continuance of the powers to be granted, he said, he could not consent to divest himself of the just power, which God, and the laws of the kingdom, had placed in him for the defence of his people, and to put it into the hands of others for any indefinite time. And since the ground of their request to him was to secure their present fears and jealousies, that they might with safety apply themselves to his message of the twentieth of January, he hoped that his grace to them since that time, in yielding to so many of their desires, and in agreeing to the persons now recommended to him, and the power before expressed to be placed in them, would wholly dispel those fears and jealousies: and he assured them, that as he had now applied this unusual remedy to their doubts; so, if there should be cause, he would continue the same to such time, as should be agreeable to the same care he now expressed towards them.

"He said, he was so far from receding from any thing he had promised, or intended to grant in his former answer, that he had hereby consented to all that had been then asked of him by that petition, concerning the militia of the kingdom, except that of London, and the other corporations; which was, to put the same into the hands of such persons, as should be recommended to him by both houses of parliament. And he doubted not but they, upon well weighing the particulars of that his answer, would find the same more satisfactory to their ends, and the peace and welfare of all his good subjects, than the way proposed by that intended ordinance; to which, for those reasons, he could not consent.

"And whereas he observed by their last petition, that in some places, some persons begun already to intermeddle of themselves with the militia, he said, he expected his parliament should examine the particulars thereof, it being a matter of high concernment, and very great consequence. And he required, that if it should appear to them, that any person whatsoever had presumed to command the militia without lawful authority, they might be proceeded against according to law."

It seems this was not the answer they promised themselves; for, at the publishing it, they were marvellously transported, and immediately voted, both houses concurring in it, "That those, that advised his majesty to give that answer, were enemies to the state, and mischievous projectors against the defence of the kingdom: that that denial was of that dangerous consequence, that

"if his majesty should persist in it, it would hazard the peace and safety of all his kingdoms, unless some speedy remedy were applied by the wisdom and authority of both houses of parliament: and that such parts of the kingdom, as had already put themselves into a posture of defence against the common danger, had done nothing but what was justifiable, and was approved by both houses." And having caused these, and such other resolutions to be immediately published in print, that their friends abroad might know what they had to do, they sent a committee of both houses to the king at Theobalds with another petition; in which they told him, "that their just apprehensions of sorrow and fear, in respect of the public dangers and miseries like to fall upon his majesty and the kingdom, were much increased upon the receipt of his unexpected denial of their most humble and necessary petition concerning the militia of the kingdom; and that they were especially grieved, that wicked and mischievous counsellors should still have that power with him, as in that time of imminent and approaching ruin, he should rather incline to that, which was apt to further the accomplishment of the desires of the most malignant enemies of God's true religion, and of the peace and safety of himself, and his kingdom, than to the dutiful and faithful counsel of his parliament. Wherefore, they said, they were enforced in all humility to protest, that, if his majesty should persist in that denial, the dangers and distempers of the kingdom were such, as would endure no longer delay: but unless he should be graciously pleased to assure them by those messengers, that he would speedily apply his royal assent to the satisfaction of their former desires, they should be enforced, for the safety of his majesty and his kingdoms, to dispose of the militia by the authority of both houses, in such a manner as had been propounded to him; and they resolved to do it accordingly.

"They likewise most humbly besought his majesty to believe, that the dangerous and desperate design upon the house of commons, mentioned in their preamble, was not inserted with any intention to cast the least aspersion upon his majesty; but therein they reflected upon that malignant party, of whose bloody and malicious practices they had so often experience, and from which they could never be secure, unless his majesty would be pleased to put from him those wicked and unfaithful counsellors, who interposed their own corrupt and malicious designs betwixt his majesty's goodness and wisdom, and the prosperity and contentment of himself, and of his people: and that for the despatch of the great affairs of the kingdom, the safety of his person, the protection and comfort of his subjects, he would be pleased to continue his abode near to London, and the parliament; and not to withdraw himself to any the remoter parts, which if he should do, must needs be a cause of great danger and distraction.

"That he would likewise be graciously pleased to continue the prince's highness in those parts at St. James's, or any other of his houses near London; whereby the designs, which the enemies of the religion, and peace of the kingdom, might have upon his person, and the jea-

"lousies and fears of his people, might be prevented.

"And they besought him to be informed by them, that, by the laws of the kingdom, the power of raising, ordering, and disposing of the militia within any city, town, or other place, could not be granted to any corporation by charter, or otherwise, without the authority and consent of parliament: and that those parts of the kingdom, which had put themselves in a posture of defence against the common danger, had therein done nothing but according to the declaration and direction of both houses, and what was justifiable by the laws of the kingdom. All which their most humble counsel and desires they prayed him to accept, as the effect of that duty and allegiance, which they owed unto him, and which would not suffer them to admit of any thoughts, intentions, or endeavours, but such as were necessary and advantageous for his greatness and honour, and the safety and prosperity of the kingdom, according to that trust and power, which the laws had reposed in them."

As soon as the petition was read, the king told them that presented it, "That he was so much amazed at their message, that he knew not what to answer. He said, they spake of jealousies and fears; but he desired them to lay their hands to their hearts, and ask themselves, whether he might not likewise be disturbed with fears and jealousies? and if so, he assured them, that message had nothing lessened them."

"For the militia, he said, he had thought so much of it before he sent his answer, and was so well assured that the answer was agreeable to what, in justice or reason, they could ask, or he in honour grant, that he should not alter it in any point.

"For his residence near them, he said, he wished it might be so safe and honourable, that he had no cause to absent himself from Whitehall: he bid them ask themselves, whether he had not? For his son, he said, he should take that care of him, which should justify him to God, as a father; and to his dominions, as a king. To conclude, he assured them upon his honour, that he had no thought but of peace, and justice to his people; which he would by all fair means seek to preserve and maintain, relying upon the goodness and providence of God for the preservation of himself, and his rights."

This, being suddenly, and with more than usual quickness, spoken by the king, much appalled them; but they were too far engaged to retire; and therefore, as soon as it was reported to the houses, they resolved, upon debate, "that the kingdom should be forthwith put into a posture of defence, by authority of both houses, in such a way as had been formerly agreed upon by both houses; and that a declaration should be speedily sent unto the king, containing the causes of their just fears and jealousies, and to make it evident that any that were entertained against them were groundless;" ordering at the same time, "that all the lords lieutenants of any counties in England, who had been formerly so constituted by the king by his commissions under the great seal of England, should immediately bring in those commissions to be cancelled as

"illegal:" albeit some such commissions had been granted, upon their own desire, since the beginning of the parliament, as particularly to the earl of Essex to be lord lieutenant of Yorkshire, and to the earl of Salisbury for Dorsetshire.

Then both houses sent to the earl of Northumberland, being high admiral of England, "that they had received advertisement of extraordinary preparations made, by the neighbouring princes, both by land and sea; by which an apprehension was raised in both houses, that the public honour, peace, and safety of his majesty, and his kingdom, could not be secured, unless a timely course were taken for the putting the kingdom into a condition of defence at sea, as well as at land: and they did therefore order him forthwith to give effectual direction, that all the ships belonging to his majesty's navy, and fit for service, and not already abroad, nor designed for the summer's fleet, should be rigged, and put in such a readiness, as that they might be soon fitted for the sea: and that his lordship would also make known to the masters and owners of other ships, in any of the harbours of the kingdom, [as] might be of use for the public defence, that it would be an acceptable service to the king and parliament, if they would likewise cause their ships to be rigged, and so far put into a readiness, as they might, at a short warning, likewise be set to sea upon any emergent occasion; which would be a means of great security to his majesty and his dominions." To which the earl returned an answer full of submission and obedience.

I have been assured from persons of very good credit, and conversant with those councils, that they had it in deliberation and debate to send, and take the prince from his father at Theobalds by force: but that design was quickly laid aside, when they heard that the king was removed from thence to Newmarket, and was like to make a further progress. So they used all possible expedition in preparing their declaration; which they directed to his majesty, and in which they told him, "that although that answer, he had given to their petition at Theobalds, did give just cause of sorrow to them; yet it was not without some mixture of confidence and hope, considering those expressions proceeded from the misapprehensions of their actions and intentions; which, having no ground of truth or reality, might, by his justice and wisdom, be removed, when he should be fully informed, that those fears and jealousies of theirs, which his majesty thought to be causeless, and without any just ground, did necessarily and clearly arise from those dangers and distempers, into which the mischievous and evil councils about him had brought the kingdom. And that those other fears and jealousies, by which his favour, his royal presence, and confidence, had been withdrawn from his parliament, had no foundation, or subsistence in any action, intention, or miscarriage of theirs; but were merely grounded upon the falsehood and malice of those who, for the supporting and fomenting their own wicked designs against the religion and peace of the kingdom, did seek to deprive his majesty of the strength and the affection of his people; and them of his grace and protection; and thereby to subject both his

“ person, and the whole kingdom, to ruin and destruction.

“ That, to satisfy his majesty’s judgment and conscience in both those points, they desired to make a free and clear declaration of the causes of their fears and jealousies, in some particulars.

1. “ That the design of altering religion, in this and his other kingdoms, had been potently carried on, by those in greatest authority about him, for divers years together: and that the queen’s agent at Rome, and the pope’s agent, or nuncio, here, were not only evidences of that design, but had been great actors in it.

2. “ That the war with Scotland was procured to make way for that intent, and chiefly invited and fomented by the papists, and others popishly affected, whereof they had many evidences, especially their free and general contribution to it.

3. “ That the rebellion in Ireland was framed and contrived here in England; and that the English papists should have risen about the same time, they had several testimonies and advertisements from Ireland: and that it was a common speech amongst the rebels, (with which, they said, other evidences did concur, as the information of a minister who came out of Ireland; the letter of one Tristram Whetcomb in Ireland to his brother in England, and many others,) that they would recover unto his majesty his royal prerogative, wrested from him by the puritan faction in the houses of parliament in England; and would maintain episcopal jurisdiction, and the lawfulness thereof; which, they said, were the two quarrels, upon which his late army in the north should have been incensed against them.

4. “ The cause they had to doubt that the late design, styled the queen’s pious intention, was for the alteration of religion in this kingdom, for success whereof the pope’s nuncio (the count Rozetti) enjoined fasting and praying to be observed every week by the English papists; which, they said, appeared to them by one of the original letters directed by him to a priest in Lancashire.

5. “ The boldness of the Irish rebels in affirming they do nothing but by authority from the king; that they call themselves the queen’s army; that the prey and booty they take from the English, they mark with the queen’s mark; that their purpose was to come into England, when their business was done in Ireland; and sundry other things of that kind, which, they said, were proved by one Oconelly, and others; but especially in the forementioned letter from Tristram Whetcomb, wherein there was this passage, that many other speeches they utter, concerning religion, and our court of England, which he dares not commit to paper.

6. “ The many attempts to provoke his late army, and the army of the Scots, and to raise a faction in the city of London, and other parts of the kingdom. That those, who had been actors in these businesses, had their dependence, their countenance, and encouragement, from the court; witness the treason, whereof Mr. Jermyyn, and others, stood accused; who, they said, was transported beyond seas by warrant under his majesty’s own hand, after he had

“ given assurance to his parliament, that he had laid a strict command upon his servants, that none of them should depart from court. And that dangerous petition delivered to captain Leg by his majesty’s own hand, accompanied with a direction signed with C. R.

7. “ The false and scandalous accusation against the lord Kimbolton, and the five members of the house of commons, tendered to the parliament by his own command, and endeavoured to be justified in the city by his own presence and persuasion, and to be put in execution upon their persons by his demand of them in the house of commons, in so terrible and violent a manner, as far exceeded all former breaches of privileges of parliament acted by his majesty, or any of his predecessors: and they said, whatever his own intentions were, divers bloody and desperate persons, that attended him, discovered their affections, and resolutions, to have massacred and destroyed the members of that house, if the absence of those persons accused had not, by God’s providence, stopped the giving that word, which they expected for the setting them upon that barbarous and bloody act: the listing of officers and soldiers, for a guard at Whitehall, and such other particulars.

8. “ That, after a vote had passed in the house of commons, declaring that the lord Digby had appeared in a warlike manner at Kingston upon Thames, to the terror and affright of his majesty’s good subjects, and disturbance of the public peace of the kingdom, he should nevertheless be of that credit with his majesty, as to be sent away by his majesty’s own warrant to sir J. Pennington to land him beyond seas: from whence he vented his own traitorous conceptions, that his majesty should declare himself, and retire to a place of strength; as if he could not be safe amongst his people. Which false and malicious counsel and advice, they said, they had great cause to doubt, made too deep an impression on his majesty, considering the course he was pleased to take of absenting himself from his parliament, and carrying the prince with him; which seemed to express a purpose in his majesty to keep himself in a readiness for the acting of it.

9. “ The many advertisements they had from Rome, Paris, Venice, and other parts, that they still expected that his majesty had some great design in hand, for the altering of religion, the breaking the neck of his parliament. That the pope’s nuncio had solicited the kings of France and Spain to lend his majesty four thousand men apiece, to help to maintain his royalty against the parliament. And they said, as that foreign force was the most pernicious and malignant design of all the rest; so they hoped it was, and should always be, farthest from his majesty’s thoughts; because no man could believe he would give up his people and kingdom to be spoiled by strangers, if he did not likewise intend to change both his own profession in religion, and the public profession of the kingdom, that so he might be still more assured of those foreign states of the popish religion for their future support and defence.

“ These, they said, were some of the grounds of their fears and jealousies, which had made them so earnestly implore his royal authority, and pro-

“tection, for their defence and security, in all the ways of humility and submission ; which being denied by his majesty, seduced by evil counsel, they did, with sorrow for the great and unavoidable misery and danger, which thereby was like to fall upon his own person, and his kingdoms, apply themselves to the use of that power for the security and defence of both, which, by the fundamental laws and constitutions of the kingdom, resided in them ; yet still resolving to keep themselves within the bounds of faithfulness and allegiance to his sacred person, and his crown.

“To the fears and jealousies expressed by his majesty, when he said, that for his residence near the parliament, he wished it might be so safe and honourable, that he had no cause to absent himself from Whitehall : that, they said, they took as the greatest breach of privilege, that could be offered ; as the heaviest misery to himself, and imputation upon them, that could be imagined, and the most mischievous effect of evil counsels ; it rooted up the strongest foundation of the safety and honour the crown afforded ; it seemed as much as might be, they said, to cast upon the parliament such a charge, as was inconsistent with the nature of that great council, being the body, of which his majesty was the head ; it struck at the very being both of king and parliament, depriving his majesty, in his own apprehension, of their fidelity, and them of his protection ; which are the natural bands and supports of government and subjection.

“They said, they had, according to his majesty’s desire, laid their hands upon their hearts ; they had asked themselves in the strictest examination of their consciences ; they had searched their affections, their thoughts, considered their actions ; and they found none, that could give his majesty any just occasion to absent himself from Whitehall, and his parliament ; but that he might, with more honour and safety, continue there, than in any other place. They said, his majesty laid a general tax upon them : if he would be graciously pleased to let them know the particulars, they should give a clear and satisfactory answer. But, they said, they could have no hope of ever giving his majesty satisfaction, when those particulars, which he had been made believe were true, yet, being produced, and made known to them, appeared to be false ; and his majesty notwithstanding would neither punish nor produce the authors, but go on to contract new fears and jealousies, upon general and uncertain grounds ; affording them no means or possibility of particular answer to the clearing of themselves, of which they gave him these instances. 1. The speeches pretended to be spoken at Kensington concerning the queen, which had been denied and disavowed ; yet his majesty had not named the authors. 2. The charge and accusation of the lord Kimbolton, and the five members, who refused no trial or examination, which might stand with the privileges of parliament ; yet no authors, no witnesses, were produced, against whom they might have reparation for the great injury, and infamy cast upon them.

“They besought his majesty to consider in what state he was, how easy and fair a way he had to

“happiness, honour, greatness, and plenty, and security, if he would join with his parliament, and his faithful subjects, in the defence of the religion, and the public good of the kingdom. That, they said, was all they expected from him, and for that they would return to him their lives, fortunes, and uttermost endeavours to support his majesty, his just sovereignty, and power over them. But, they said, it was not words that could secure them in those their humble desires ; they could not but too well and sorrowfully remember, what gracious messages they had from him the last summer ; when, with his privacy, the bringing up the army was in agitation : they could not but with the like affections recall to their minds, how, not two days before he gave direction for the aforementioned accusation, and his own coming to the commons’ house, that house received from him a gracious message, that he would always have care of their privileges, as of his own prerogative ; and of the safety of their persons, as of his own children.

“They said, that which they expected, and which would give them assurance that he had no thought but of peace, and justice to his people, must be some real effect of his goodness to them, in granting those things, which the present necessity of the kingdom did enforce them to desire. And in the first place, that he would be graciously pleased to put from him those wicked and mischievous counsellors, which had caused all those dangers and distractions ; and to continue his own residence, and the prince’s, near London, and the parliament ; which, they hoped, would be a happy beginning of contentment, and confidence between him and his people ; and be followed with many succeeding blessings of honour and greatness to his majesty, and of security and prosperity to them.

In the debate of this declaration, the like whereof had never before been heard of in parliament, in which they took his majesty’s doubt of his safety at Whitehall so heavily, that, they said, “it seemed to cast such a charge upon the parliament, as was inconsistent with the nature of that great council,” (so apprehensive they were of the least suspicion of want of freedom,) the prevalent party carried themselves with that pride and impetuosity, that they would endure no opposition or dispute ; insomuch as sir Ralph Hopton, (who indeed was very grievous to them for not complying with them,) for objecting against some sharp expressions in the declaration, (before it passed the house, and when the question was, whether it should pass,) as being too distant from that reverence, which ought to be used to the king ; and saying, upon a clause, in which they mentioned their general intelligence from Rome, Venice, Paris, and other places, of some design the king had upon religion, and the parliament, from whence they seemed to conclude that the king would change his religion, “that they seemed to ground an opinion of the king’s apostasy upon a less evidence, than would serve to hang a fellow for stealing a horse,” was committed to the Tower of London, for laying an imputation upon that committee, which had drawn up the declaration.” Notwithstanding which, after they had imprisoned him, they thought fit to make that expression less gross

and positive; though, as it is set down above, (in which words it passed, and was delivered to the king,) it was thought by standers-by to be very unagreeable to the gravity of a wise court, and to the duty of subjects.

But in this particular, in oppressing all those who were of different opinions from them, their carriage was so notorious and terrible, that spies were set upon, and inquiries made upon all private, light, casual discourses, which fell from those who were not gracious to them: as one Mr. Trelawny, a member of the house of commons, and a merchant of great reputation, was expelled the house, and committed to prison, for having said, in a private discourse in the city, to a friend, "that the house could not appoint a guard for themselves without the king's consent, under pain of high treason:" which was proved by a fellow, who pretended to overhear him; when the person himself, with whom the conference was held, declared, "that he said, it might be imputed to them for treason:" and it was confessed on all parts, that the words were spoken long before the discovery, and some days before the house had resolved, "that they would have a guard." And afterwards, upon the old stock of their dislike, when the war began to break out, they again imprisoned this poor gentleman; seized upon all his estate, which was very good; and suffered him to die in prison for want of ordinary relief and refreshment.

And in this very time we speak of, and in the very business of the militia, when every day very great multitudes with petitions from most of the counties of England, and from the city of London, were presented to both houses, to desire them to be put into a posture of defence; and that they would cause the ordinance for the militia to be speedily executed, which was alleged to be an instance of the people's desire throughout the kingdom, and the chief ground of their proceeding; the most substantial citizens of London, both in reputation and estate, finding that the militia of that city, with which by their charter, and constant practice, the lord mayor had been always intrusted, was now with a most extravagant power to be committed to a number of factious persons of the city, the major part of whom consisted of men of no fortune, or reputation, resolved to petition both houses "not to alter their original constitution and right of their city:" and, to that purpose, a petition was signed by some hundreds, and very probably would in few days have been subscribed by all, or most of the substantial citizens of London. The house had notice of this petition, which they called another conspiracy and plot against the parliament, and immediately employed a member of their own to procure a sight of it; who, under a trust of redelivering it, got it into his hands, and brought it to the house of commons; upon which, some principal citizens, who had subscribed it, were examined, and committed to prison; and a direction given, that a charge and impeachment should be prepared against the recorder of London, who, they heard, had been of council in the drawing up and preparing that petition, and, they knew, was opposite to their tumultuary proceedings. So when the chief gentlemen of Oxfordshire heard, that a petition had been delivered to the house of commons in their name, and the name of that county, against the established government of the church, and for the exercise of the militia, they assembled

together to draw up a petition disavowing the former, and to desire, "that the settled laws might be observed;" of which the lord Say having notice, he procured the chief gentlemen to be sent for as delinquents, and so suppressed that address: and this was the measure of their justice in many other particulars of the same nature, receiving and cherishing all mutinous and seditious petitions, and discountenancing such as besought the continuance and vindication of the so long celebrated and happy government in church and state; the prime leaders of that faction not blushing, in public debates in the house, to aver, "that no men ought to petition for the government established by law, because he had already his wish; but they that desired an alteration, could not otherwise have their desires known; and therefore were to be countenanced."

The committee, which presented the declaration to the king at Newmarket, presented likewise additional reasons, as they called them, for his majesty's return, and continuance near the parliament; as a matter, in their apprehension, of so great necessity and importance towards the preservation of his person, and his kingdom: and they said,

"They could not think they discharged their duties in the single expression of their desire, unless they added some further reasons to back it with. 1. His majesty's absence would cause men to believe, that it was out of design to discourage the undertakers, and hinder the other provisions for raising money for defence of Ireland. 2. It would very much hearten the rebels there, and disaffected persons in this kingdom, as being an evidence, and effect of the jealousy and division between his majesty and his people. 3. That it would much weaken and withdraw the affection of the subject from his majesty; without which, a prince is deprived of his chiefest strength and lustre, and left naked to the greatest dangers and miseries that can be imagined. 4. That it would invite and encourage the enemies of our religion and the state in foreign parts, to the attempting, and acting of their evil designs and intentions towards us. 5. That it did cause a great interruption in the proceedings of parliament. Those considerations, they said, threatened so great danger to his person, and to all his dominions, that, as his great council, they held it necessary to represent to him that their faithful advice, that so, whatsoever should follow, they might be excused before God and man."

Whilst that declaration was reading, his majesty expressed some passion upon particular expressions; and once, when that passage was read, that takes notice "of the transportation of Mr. Jermyn by his majesty's own warrant, after he had given his word, that he had commanded that none of his servants should depart from court," interrupted the earl of Holland, who read it, and said, "That's false;" and when he was told, "it related not to the date, but the execution of the warrant," his majesty said, "It might have been better expressed then: it is a high thing to tax a king with breach of promise." But after both the declaration and reasons were read, the king, after a short pause, said to them,

"I am confident that you expect not I should give you a speedy answer to this strange and unexpected declaration; and I am sorry, in the

"distraction of this kingdom, you should think this way of address to be more convenient, than that propounded, by my message of the twentieth of January last, to both houses. As concerning the grounds of your fears and jealousies, I will take time to answer [them] particularly; and doubt not but I shall do it to the satisfaction of all the world. God, in his good time, will, I hope, discover the secrets and bottoms of all plots and treasons; and then I shall stand right in the eyes of all my people. In the mean time I must tell you, that I rather expected a vindication for the imputation laid on me in Mr. Pym's speech, than that any more general rumours and discourses should get credit with you. For my fears and doubts, I did not think they should have been thought so trivial and groundless, whilst so many seditious pamphlets and sermons are looked upon, and so great tumults are remembered, unpunished, uninquied into. I still confess my fears, and call God to witness, that they are greater for the true protestant profession, my people and laws, than for my own rights, or safety; though I must tell you, I conceive none of these are free from danger. What would you have? Have I violated your laws? Have I denied to pass any one bill for the ease and security of my subjects? I do not ask you what you have done for me. Are my people transported with fears and apprehensions? I have offered as free and general a pardon as yourselves can devise. There is a judgment from heaven upon this nation, if these distractions continue. God so deal with me, and mine, as all my thoughts, and intentions, are upright for the maintenance of the true protestant profession, and for the observation and preservation of the laws of the land: and I hope God will bless and assist those laws for my preservation."

This being suddenly, and with some vehemence, spoken by his majesty, and he having taken further time to answer the declaration, and the reasons, the committee besought him, "since they were to carry back with them no other answer, that his majesty would vouchsafe to give them what he had spoken in writing;" which, the next morning, he did: and then the earl of Holland again desired him, "that he would reside nearer his parliament;" whereunto the king shortly answered, "I would you had given me cause; but I am sure this declaration is not the way to it." Then being asked by the earl of Pembroke, whether the militia might not be granted, as was desired by the parliament, for a time? he answered, "By God, not for an hour. You have asked that of me in this, was never asked of a king, and with which I will not trust my wife and children." He told them, "he could not have believed the parliament would have sent him such a declaration, if he had not seen it brought by such persons: and said he was sorry for the parliament, but glad he had it; for by that he doubted not to satisfy his people. He said they spake of ill councils; but he was confident they had worse informations, than he had councils. He told them, the business of Ireland would never be done in the way they were in; four hundred would never do that work; it must be put into the hands of one: and, he said, if he were trusted with it, he would pawn his head to end that work."

As soon as the committee returned, and re-

ported what answer they had received, and in what disposition and temper they found and left the king; it was ordered, that their declaration, which they had sent to him, should be speedily printed, and carefully dispersed throughout the kingdom, that the people might see upon what terms they stood; and all other possible courses were taken to poison the hearts and affections of the subjects, and to suppress all those, who, in any degree, seemed to dislike their high proceedings. Above all, care was taken to place such preachers and lecturers in the most populous towns and parishes, as were well known to abhor the present government, and temperature of church and state; many of whom were recommended, and positively enjoined, and imposed upon parishes, by the house of commons; and others, by such factious members, whose reputation was most current: and all canonical clergymen, and orthodox divines, were, with equal industry, discountenanced, imprisoned, or forced to a long attendance upon committees, or the house, (which was worse than imprisonment,) under the notion and imputation of scandalous ministers. Which charge and reproach reached all men, whose inclinations they liked not, or whose opinions they suspected. And that they might be sure to be as strong and absolute at sea, as at land, they appointed the lord admiral to send the names of all those captains of ships, who were to attend the fleet for that summer service, to them, to the end they might have such men, in whom they might confide; which his lordship most punctually observed. By which they helped to free him of those officers whom he could not plausibly have discharged; and struck out the names of those, whose affections or relations they thought themselves not secure in.

The king thought it now time, according to his former resolution, which he had not communicated to many, to remove to York, which was a place of good receipt and convenience, for those who were willing to attend him; and, to the end that there might be public notice of it, he sent from Huntington, when he was upon his journey, a message to both houses: "That, being then in his remove to his city of York, where he intended to make his residence for some time, he thought fit to send that message to them, and very earnestly to desire them, that they would use all possible industry in expediting the business of Ireland; in which they should find so cheerful a concurrence from his majesty, that no inconvenience should happen to that service by his absence, he having all that passion for the reducing that kingdom, which he had expressed in his former messages, and being, by words, unable to manifest more affection to it, than he had endeavoured to do by those messages: having likewise done all such acts, as he had been moved unto by his parliament. Therefore, if the misfortunes and calamities of his poor protestant subjects there should grow upon them, (though he should be deeply concerned in, and sensible of their sufferings,) he said, he should wash his hands before all the world from the least imputation of slackness in that most necessary and pious work.

"And, that he might leave no way unattempted, which might beget a good understanding between him and his parliament, he said, he thought it necessary to declare, that, as he had been so tender of the privilege of parliament, that he

"had been ready and forward to retract any act of his own, which he had been informed had trenchoned upon their privileges; so he expected an equal tenderness in them of his known and unquestionable prerogatives, which are the privileges of the kingdom; amongst which, he was assured, it was a fundamental one, that his subjects could not be obliged to obey any act, order, or injunction, to which he had not given his consent.

"And, therefore, he thought it necessary to publish, that he expected, and thereby required, obedience from all his loving subjects to the laws established; and that they presumed not upon any pretence of order, or ordinance, to which his majesty was no party, concerning the militia, or any other thing, to do, or execute what was not warrantable by those laws; he being resolved to keep the laws himself, and to require obedience to them from all his subjects. "And he once more recommended unto them the substance of his message of the twentieth of January last; that they would compose, and digest with all speed, such acts as they should think fit for their present and future establishment of their privileges, the free and quiet enjoying their estates and fortunes, the liberties of their persons, the security of the true religion then professed in the church of England, the maintaining his regal and just authority, and settling his revenue; he being most desirous to take all fitting and just ways, which might beget a happy understanding between him and his parliament, in which he conceived his greatest power and riches did consist."

I have not known both houses in more choler and rage, than upon the receiving this message, which came early to them on Wednesday the sixteenth of March. Now the day before had been spent in preparing all things ready for the execution of the ordinance of the militia; they had voted, and resolved, "that it was not any way against the oath of allegiance, that all the commissions to lieutenants under the great seal were illegal and void; and that whosoever should execute any power over the militia by colour of any commission of lieutenancy, without consent of both houses of parliament, should be accounted a disturber of the peace of the kingdom." Then they agreed upon this proposition, "That the kingdom had been of late, and still was, in so evident and imminent danger, both from enemies abroad, and a popish and discontented party at home, that there was an urgent and inevitable necessity of putting his majesty's subjects into a posture of defence, for the safeguard both of the king and his people; and that the lords and commons, apprehending that danger, and being sensible of their own duty to provide a suitable prevention, had, in several petitions, addressed themselves to his majesty for the ordering and disposing the militia of the kingdom in such a way, as was agreed upon, by the wisdom of both houses, to be most proper for the present exigence of the kingdom: yet they could not obtain it; but his majesty did several times refuse to give his royal assent thereunto." Upon this proposition, they resolved, "that in that case of extreme danger, and of his majesty's refusal, the ordinance agreed on by both houses for the militia did oblige the people, and ought to be

"obeyed by the fundamental laws of the kingdom; and that such persons, as should be nominated deputy lieutenants, and approved of by both houses, should receive the commands of both houses, to take upon them to execute their offices." All which resolutions were ordered, the same night, to be printed and published. So that, when the king's message from Huntington was read the next morning, and seemed to be against their votes of the day before, they concluded, "that it could not be sent from the king, but that it had been inserted in blanks left in the town for such purposes;" and immediately made a committee, "to find out by whom that message was framed." But when they remembered, that they had voted as much a week before, and had examined the gentleman who brought it, and had received it from the king's own hand, they proceeded no further in that inquisition; but satisfied themselves with a new vote, "that those persons, who advised his majesty to absent himself from the parliament, and those that advised him to that message, were enemies to the peace of the kingdom, and justly to be suspected to be favourers of the rebellion in Ireland." And for the matter itself they resolved to insist upon their former votes; and withal declared, "that when the lords and commons in parliament, which is the supreme court of judicature in the kingdom, should declare what the law of the land is, to have that not only questioned and controverted, but contradicted, and a command that it should not be obeyed, was a high breach of the privilege of parliament."

And this likewise they caused to be speedily printed; lest the king should be able to persuade the subjects, that an order of theirs, without his consent, was no law to compel their obedience. And from this last resolution, by which the law of the land, and consequently the liberty of the subject, was resolved into a vote of the two houses, which passed without any dispute or hesitation, all sober men discerned the fatal period of both, and saw a foundation laid for all the anarchy and confusion that hath followed.

It was now known, that the king was gone to York, which made them apprehend their principality of Hull might be in danger; and therefore they immediately resolve, "that no forces whatsoever shall be admitted in that town, without the immediate consent of both houses;" which order was sent thither by an express. And having prepared the people to be ready for the militia, by publishing, "that, in case of extreme danger, they were to obey that ordinance;" they were, in the next place, to find the danger to be extreme; and, to that purpose, they produced letters without any name, pretended to be written from Amsterdam, signifying, "that they had intelligence there, that there was an army ready in Denmark to be transported into England, and was to be landed at Hull; which, they said, had been confirmed to them by a person of reputation, from Newmarket, who confirmed the intelligence of Denmark: and added, that there [were] likewise forces ready in France to be likewise landed at Hull."

And of this, how gross and ridiculous soever it appeared to wise men, they made a double use, (besides the general impression in the people,) the one to colour and countenance their orders to their governor there; the other, to make the king's



residence in those parts suspected and grievous, as if he came thither only to bring in foreign forces upon them. With these alarms of foreign forces, they mingled other intelligence of the papists in England, "that they had a purpose of making an "insurrection;" and therefore they proceeded in preparing a bill to secure the persons of those of the best quality, and greatest interest, and enjoining the oath of supremacy to be taken with great rigour; and, amongst other stratagems they had to humble the papists, I remember, upon an information that they used their protestant tenants worse in the raising their rents, than they did those of their own religion, there was an order, "that they "should not raise the rents of their tenants, above "the rates that the protestant landlords adjoining "received from their tenants:" by virtue of which, in some places, they undertook to determine what rents their tenants should pay to them. But, in this zeal against the papists, they could not endure that the king should have any share; and therefore, when they found, that his majesty had published a proclamation in his journey towards York, "commanding all the judges and justices of peace, "and other officers, to put in due execution all the "laws and statutes of the kingdom, against popish "recusants, without favour or connivance," they presently sent for the sheriffs of London to the house of commons, and examined them, "why "seven priests, who were in Newgate, and had "been long condemned, were not executed?" the reason whereof they well knew: and when they said, "that they had received a reprieve for them "under the king's hand," they published that with great care in their prints, to take off the credit of the new proclamation; and appointed their messengers, whom they were then sending to the king with a new declaration, to move his majesty, "that "he would take off his reprieve, and suffer those "seven condemned priests to be executed, according to the judgments they had received."

They proceeded now to provide all necessary means for the raising great sums of money, by the diligent collection of what was granted by former acts, and by a new bill for the raising of four hundred thousand pounds for the payment of the great debts of the kingdom, (by which they meant the remainder of the three hundred thousand pounds, they had bountifully given to their brethren of Scotland,) and the support of the war of Ireland: all which monies were to be received and disposed as the two houses should direct; of which though the king saw the danger, that might, and after did ensue to them, yet he thought that probable inconvenience and mischief to be less, than that, which the scandal of denying any thing, upon which the recovery of Ireland seemed to depend, would inevitably bring upon him; and so ratified whatsoever they brought to him of that kind.

Amongst other expedients for raising of money for the war of Ireland, about this time, they made certain propositions to encourage men to be adventurers in that traffick, thus: they concluded "that, "in so general a rebellion, very much land must "escheat to the crown by the forfeiture of treason, "and that, out of such forfeitures, satisfaction "might be given to those, who should disburse "money towards the suppression of the rebels; so "many acres of land to be allowed for so much "money, according to the value of the lands in the "several provinces, which was specified in the pro-

"positions;" which, having passed both houses, were presented to the king, who (it being about the beginning of February, when the breach of their privileges rang in all men's ears) answered, "that as he had offered, and was still ready to "venture, his own person for the recovery of that "kingdom, if his parliament should advise him "thereunto; so he would not deny to contribute "any other assistance he could to that service, by "parting with any profit or advantage of his own "there; and therefore, relying upon the wisdom "of his parliament, he did consent to every proposition, now made to him, without taking time "to consider and examine, whether that course "might not retard the reducing that kingdom, by "exasperating the rebels, and rendering them "desperate of being received into grace, if they "should return to their obedience. And, he said, "he would be ready to give his royal assent to "such bills, as should be tendered to him by his "parliament for the confirmation of those "positions."

Which answer, together with their propositions, they caused forthwith to be printed; made their committees, in all places, to solicit subscriptions, and to receive the monies, the principal and most active persons subscribing first, for the example of others; and delayed the framing and presenting the bill to the king, till they had received great sums of money, and procured very many persons of all conditions to subscribe, many coming in out of pure covetousness to raise great fortunes; five hundred acres of land being assigned for one hundred pound in some counties, and not much under that proportion in others; some out of pure fear, and to win credit with the powerful party, which made this new project a measure of men's affections, and a trial how far they might be trusted, and relied on.

Then they sent those propositions digested into a bill to the king, with such clauses of power to them, and diminution of his own, that, upon the matter, he put the making a peace with the rebels there out of his own power, though upon the most advantageous terms; which he was likewise necessitated to pass.

But notwithstanding all these preparations on this side the sea, the relief and provision was very slowly supplied to the other side: where the rebels still increased in strength, and by the fame of these propositions enlarged their power, very many persons of honour and fortune, who till then had sat still, and either were, or seemed to be, averse to the rebellion, joining with them, as being desperate, and conceiving the utter suppressing their religion, and the very extirpation of their nation, to be decreed against them. And, without doubt, the great reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a people easy to be rooted out, and that the war might be kept still up; since they feared an union in that kingdom might much prejudice their designs in this, both as it might supply the king with power, and take away much of theirs; whereas now they had opportunity, with reference to Ireland, to raise both men and money, which they might be able to employ upon more pressing occasions, as they will be found afterwards to have done. Neither was it out of their expectation and view, that, by the king's consenting to that severe decree, he might very probably



discourage his catholic subjects, in his other dominions, from any extraordinary acts of duty and affection: at least, that it would render him less considered by the most catholic princes. And they knew well what use to make of any diminution of his interest or reputation. These matters thus settled, for the ease of the two houses, who were now like to have much to do, they appointed the

whole business of Ireland to be managed by commission under the great seal of England, by four lords and eight commoners, whom they recommended to the king, and who were always to receive instructions from themselves. And in this state and disposition were the affairs of Ireland, when the king went to York, where let us now resort to him.

END OF THE FOURTH BOOK.

THE  
HISTORY OF THE REBELLION, &c.

BOOK V.

AS soon as the king came to York, which was about the end of the year 1641, and found his reception there to be equal to his expectation, the gentry, and men of ability of that great and populous county, (some very few excepted,) expressing great alacrity for his majesty's being with them, and no less sense of the insolent proceedings of the parliament; whereupon he resolved to treat with the two houses in another manner than he had done, and to let them clearly know, "that as he would deny them nothing that was fit for them to ask, so he would yield to nothing that was unreasonable for him to grant; and that he would have nothing extorted from him, that he was not very well inclined to consent to." So, within few days after his coming thither, he sent a declaration (which he caused to be printed, and, in the frontispiece, recommended to the consideration of all his loving subjects) to them, in answer to that presented to him at Newmarket some days before: he told them,

"That, though that declaration, presented to him at Newmarket from both houses of parliament, [was] of so strange a nature, in respect of what he expected, (after so many acts of grace and favour to his people,) and some expressions in it so different from the usual language to princes, that he might well take a very long time to consider it; yet the clearness and uprightness of his conscience to God, and love to his subjects, had supplied him with a speedy answer; and his unalterable affection to his people prevailed with him to suppress that passion, which might well enough become him upon such an invitation. He said, he had considered his answer of the first of that month at Theobalds, which was said to have given just cause of sorrow to his subjects: but, he said, whoever looked over that message, (which was in effect to tell him, that if he would not join with them in an act, which he conceived might prove prejudicial and dangerous to him, and the whole kingdom,

"they would make a law without him, and impose it upon his people,) would not think that sudden answer could be excepted to. He said, he had little encouragement to replies of that nature, when he was told of how little value his words were like to be with them, though they came accompanied with all the actions of love and justice, (where there was room for actions to accompany them;) yet he could not but disavow the having any such evil counsel, or counsellors about him, to his knowledge, as were mentioned by them; and, if any such should be discovered, he would leave them to the censure and judgment of his parliament. In the mean time he could wish, that his own immediate actions, which he did avow, and his own honour, might not be so roughly censured and wounded, under that common style of evil counsellors. For his faithful and zealous affection to the true protestant profession, and his resolution to concur with his parliament in any possible course for the propagation of it, and the suppression of popery, he said he could say no more than he had already expressed in his declaration to all his loving subjects, published in January last, by the advice of his privy council; in which he endeavoured to make as lively a confession of himself in that point as he was able, being most assured, that the constant practice of his life had been answerable thereunto: and therefore he did rather expect a testimony, and acknowledgment of such his zeal and piety, than those expressions he met with in that declaration of any design of altering religion in this kingdom. And he said, he did, out of the innocency of his soul, wish, that the judgments of Heaven might be manifested upon those, who have or had any such design.

"As for the Scots' troubles, he told them, he had thought, that those unhappy differences had been wrapped up in perpetual silence by the act of oblivion; which, being solemnly passed in the

"parliaments of both kingdoms, stopped his own mouth from any other reply, than to shew his great dislike for reviving the memory thereof. He said, if the rebellion in Ireland, so odious to all Christians, seemed to have been framed and maintained in England, or to have any countenance from hence, he conjured both his houses of parliament, and all his loving subjects whatsoever, to use all possible means to discover and find such out, that he might join in the most exemplary vengeance upon them, that could be imagined. But, he told them, he must think himself highly and causelessly injured in his reputation, if any declaration, action, or expression of the Irish rebels; any letter from the count Rozetti to the papists, for fasting and praying; or from Tristram Whetcomb, of strange speeches uttered in Ireland, should beget any jealousy or misapprehension in his subjects of his justice, piety, and affection: it being evident to all understandings, that those mischievous and wicked rebels are not so capable of great advantage, as by having their false discourses so far believed, as to raise fears and jealousies to the distraction of this kingdom; the only way to their security. He said, he could not express a deeper sense of the sufferings of his poor protestant subjects in that kingdom, than he had done in his often messages to both houses; by which he had offered, and was still ready, to venture his royal person for their redemption; well knowing, that as he was, in his own interests, more concerned in them; so he was to make a strict account to Almighty God for any neglect of his duty, or their preservation.

"For the manifold attempts to provoke his late army, and the army of the Scots, and to raise a faction in the city of London, and other parts of the kingdom, if it were said as relating to him, he could not without great indignation suffer himself to be reproached to have intended the least force, or threatening to his parliament; as the being privy to the bringing up of the army would imply. Whereas, he called God to witness, he never had any such thought, or knew of any such resolution concerning his late army. For the petition shewed to him by captain Leg, he said, he well remembered the same, and the occasion of that conference. Captain Leg being lately come out of the north, and repairing to him at Whitehall, his majesty asked him of the state of his army; and, after some relation of it, he told his majesty, that the commanders and officers of the army had a mind to petition the parliament, as others of his people had done, and shewed him the copy of a petition; which he read, and finding it to be very humble, desiring the parliament might receive no interruption in the reformation of the church and state, to the model of queen Elizabeth's days, his majesty told him, that he saw no harm in it; whereupon captain Leg replied, that he believed all the officers of the army would like it; only, he thought, sir Jacob Ashley would be unwilling to sign it, out of fear that it might displease him. His majesty then read the petition over again; and observing nothing in matter or form he conceived could possibly give just cause of offence, he delivered it to him again, bidding him give it to sir Jacob Ashley, for whose satisfaction he writ C. R. upon it, to testify his ap-

"probation; and he wished that the petition might be seen and published, and then he believed it would appear no dangerous one, nor a just ground for the least jealousy or misapprehension.

"For Mr. Jermyn, he said, it was well known that he was gone from Whitehall, before he received the desire of both houses for the restraint of his servants; neither returned he thither, or passed over by any warrant granted by him after that time. For the breach of privilege in the accusation of the lord Kimbolton, and the five members of the house of commons, he told them, he thought, he had given so ample satisfaction in his several messages to that purpose, that it should have been no more pressed against him; being confident, if the breach of privilege had been greater than ever had been before offered, his acknowledgment and retractation had been greater than ever king had given: besides the not examining how many of his privileges had been invaded in defence and vindication of the other. And therefore he hoped his true and earnest protestation in his answer to their order concerning the militia, would so far have satisfied them of his intentions then, that they would no more have entertained any imagination of any other design, than he there expressed. But why the listing so many officers, and entertaining them at Whitehall, should be misconstrued, he said, he much marvelled, when it was notoriously known the tumults about Westminster were so great, and their demeanour so scandalous and seditious, that he had good cause to suppose his own person, and those of his wife and children, to be in apparent danger; and therefore he had great reason to appoint a guard about him, and to accept the dutiful tender of the services of any of his loving subjects, which was all he did to the gentlemen of the inns of court.

"For the lord Digby, he assured them in the word of a king, that he had his warrant to pass the seas, and had left his court, before ever he heard of the vote of the house of commons, or had any cause to imagine that his absence would have been excepted against. What their advertisements were from Rome, Venice, Paris, and other parts, or what the pope's nuncio solicited the kings of France or Spain to do, or from what persons such informations come to them, or how the credit and reputation of such persons had been sifted and examined, he said, he knew not; but was confident, no sober honest man in his kingdoms could believe, that he was so desperate, or so senseless, to entertain such designs, as would not only bury this his kingdom in sudden distraction and ruin, but his own name and posterity in perpetual scorn and infamy. And therefore, he said, he could have wished in matters of so high and tender a nature, wherewith the minds of his good subjects must needs be startled, all the expressions had been so plain and easy, that nothing might stick with them that reflected upon his majesty; since they thought fit to publish it at all.

"And having now dealt thus plainly and freely with them, by way of answer to the particular grounds of their fears, he said, he hoped, upon a due consideration and weighing of both together, they would not find the grounds to be of that

"moment to beget, or longer to continue, a misunderstanding between them; or force them to apply themselves to the use of any other power, than what the law had given them: the which he always intended should be the measure of his own power, and expected it should be the rule of his subjects' obedience.

"Concerning his own fears and jealousies, as he had no intention of accusing them, so he said, he was sure no words spoken by him on the sudden at Theobalds would bear that interpretation. He had said, for his residence near them, he wished it might be so safe and honourable, that he had no cause to absent himself from Whitehall; and how that could be a breach of privilege of parliament he could not understand. He said, he had explained his meaning in his answer at Newmarket, at the presentation of that declaration, concerning the printed seditious pamphlets, and sermons, and the great tumults at Westminster: and he said, he must appeal to them, and all the world, whether he might not justly suppose himself in danger of either. And if he were now at Whitehall, he asked them, what security he had, that the like should not be again? especially if any delinquents of that nature had been apprehended by the ministers of justice, and had been rescued by the people, and so as yet had escaped unpunished. He told them, if they had not yet been informed of the seditious words used in, and the circumstances of those tumults, and would appoint some way for the examination of them, he would require some of his learned council to attend with such evidence as might satisfy them; and till that were done, or some other course should be taken for his security, he said, they could not with reason wonder, that he intended not to be, where he most desired to be.

"He asked them, whether there could yet want evidence of his hearty and importunate desire to join with his parliament, and all his faithful subjects, in defence of the religion and public good of the kingdom? Whether he had given them no other earnest but words, to secure them of those desires? He told them the very remonstrance of the house of commons (published in November last) of the state of the kingdom allowed him a more real testimony of his good affections, than words; that remonstrance valued his acts of grace and justice at so high a rate, that it declared the kingdom to be then a gainer, though it had charged itself, by bills of subsidies and poll-money, with the levy of six hundred thousand pounds, besides the contracting a debt of two hundred and twenty thousand pounds more to his subjects of Scotland. He asked them, whether the bills for the triennial parliament, for relinquishing his title of imposing upon merchandise, and power of pressing of soldiers, for the taking away the star-chamber and high-commission courts, for the regulating the council-table, were but words? whether the bills for the forests, the stannary courts, the clerk of the market, and the taking away the votes of bishops out of the lords' house, were but words? Lastly, what greater earnest of his trust, and reliance on his parliament, he could give, than the passing the bill for the continuance of this present parliament: the length of which, he

said, he hoped, would never alter the nature of parliaments, and the constitution of this kingdom; or invite his subjects so much to abuse his confidence, as to esteem anything fit for this parliament to do, which were not fit, if it were in his power to dissolve it to-morrow. And after all these, and many other acts of grace on his part, that he might be sure of a perfect reconciliation between him and all his subjects, he had offered, and was still ready to grant, a free and general pardon, as ample as themselves should think fit. Now if those were not real expressions of the affections of his soul for the public good of this kingdom, he said he must confess that he wanted skill to manifest them.

"To conclude: although he thought his answer already full to that point concerning his return to London, he told them, that he was willing to declare, that he looked upon it as a matter of so great weight, as with reference to the affairs of this kingdom, and to his own inclinations and desires, that if all he could say, or do, could raise a mutual confidence, (the only way, with God's blessing, to make them all happy,) and, by their encouragement, the laws of the land, and the government of the city of London, might recover some life for his security; he would overtake their desires, and be as soon with them, as they could wish. And, in the mean time, he would be sure that neither the business of Ireland, or any other advantage for this kingdom, should suffer through his default, or by his absence; he being so far from repenting the acts of his justice and grace, which he had already performed to his people, that, he said, he should, with the same alacrity, be still ready to add such new ones, as might best advance the peace, honour, and prosperity of this nation."

They who now read this declaration, and remember only the insolent and undutiful expressions in that declaration, to which this was an answer, and the more insolent and seditious actions which preceded, accompanied, and attended it, may think that the style was not answerable to the provocation, nor princely enough for such a contest; and may believe, that if his majesty had then expressed himself with more indignation for what he had suffered, and more resolution, "that he would no more endure those sufferings," they who were not yet grown to the hardness of avowing the contempt of the king (and most of them having designs to be great with and by him, whom they provoked) would sooner have been checked, and recovered their loyalty and obedience. But they again, who consider and remember that conjuncture of time, the incredible disadvantage his majesty suffered by the misunderstanding of his going to the house of commons, and by the popular mistake of privilege of parliament, and consequently of the breach of those privileges; and, on the contrary, the great height and reputation the factious party had arrived to, the stratagems they used, and the infusions they made into the people, "of the king's disinclination to the laws of the land;" and especially, "that he had consented to all those excellent laws made this parliament (of which the people were possessed) very unwillingly, and meant to avoid them: that the queen had an irreconcilable hatred to the religion professed, and to the

"whole nation, and that her power was unquestionable: that there was a design to send the prince beyond the seas, and to marry him to some papist:" above all, (which the principal of them, with wonderful confidence, in all places avowed to be true,) "that the rebellion in Ireland was fomented, and countenanced at least, by the queen, that good terms might be got for the catholics in England." I say, whoever remembers this, and, that though it might be presumed, that the exorbitancy of the parliament might be very offensive to some sober and discerning men, yet his majesty had no reason to presume of their eminent and vehement zeal on his behalf, since he saw all those (two or three only excepted) from whom he might challenge the duty, and faith of servants *usque ad aras*, and for whose sake he had undergone many difficulties, either totally alienated from his service, and engaged against him, or, like men in a trance, unapplicable to it: he will conclude that it concerned his majesty, by all gentleness and condescension, to undeceive and recover men to their sobriety and understanding, before he could hope to make them apprehensive of their own duty, or the reverence that was due to him; and therefore, that he was to descend to all possible arts and means to that purpose, it being very evident, that men would no sooner discern his princely justice and clemency, than they must be sensible of the indignities which were offered to him, and incensed against those who were the authors of them.

And the truth is, (which I speak knowingly,) at that time, the king's resolution was to shelter himself wholly under the law; to grant any thing, that by the law he was obliged to grant; and to deny what by the law was in his own power, and which he found inconvenient to consent to; and to oppose and punish any extravagant attempt by the force and power of the law, presuming that the king and the law together would have been strong enough for any encounter that could happen; and that the law was so sensible a thing, that the people would easily perceive who endeavoured to preserve, and who to suppress it, and dispose themselves accordingly.

The day before this answer of his majesty came to them, though they knew they should speedily receive it, lest somewhat in it might answer, and so prevent some other scandals they had a mind to lay to his majesty's charge, they sent a petition to him, in the name of the lords and commons, upon occasion of the short cursory speech he made to their committee, (which is before mentioned,) at the delivery of their declaration at Newmarket, in which they told him,

"That the lords and commons in parliament could not conceive, that that declaration, which he received from them at Newmarket, was such as did deserve that censure his majesty was pleased to lay upon them in that speech, which his majesty made to their committee; their address therein, being accompanied with plainness, humility, and faithfulness, they thought more proper for the removing the distraction of the kingdom, than if they had then proceeded according to his message of the twentieth of January; by which he was pleased to desire, that they would declare, what they intended to do for his majesty, and what they expected to be done for themselves; in both which, they

said, they had been very much hindered by his majesty's denial to secure them, and the whole kingdom, by disposing the militia as they had divers times most humbly petitioned. And yet, they said, they had not been altogether negligent of either, having lately made good proceedings in preparing a book of rates, to be passed in a bill of tonnage and poundage, and likewise the most material heads of those humble desires, which they intended to make to his majesty for the good and contentment of his majesty and his people; but none of these could be perfected before the kingdom be put in safety, by settling the militia: and until his majesty should be pleased to concur with his parliament in those necessary things, they held it impossible for his majesty to give the world, or his people, such satisfaction concerning the fears and jealousies, which they had expressed, as they hoped his majesty had already received touching that exception, which he was pleased to take to Mr. Pym's speech. As for his majesty's fears and doubts, the ground whereof was from seditious pamphlets and sermons, they said, they should be as careful to endeavour the removal [of them], as soon as they should understand what pamphlets and sermons were by his majesty intended, as they had been to prevent all dangerous tumults. And if any extraordinary concourse of people out of the city to Westminster had the face and show of tumult and danger, in his majesty's apprehension, it would appear to be caused by his majesty's denial of such a guard to his parliament, as they might have cause to confide in; and by taking into Whitehall such a guard for himself, as gave just cause of jealousy to the parliament, and of terror and offence to his people. They told him, they sought nothing but his majesty's honour, and the peace and prosperity of his kingdoms; and that they were heartily sorry they had such plentiful matter [for] an answer to that question, whether his majesty had violated their laws? They besought his majesty to remember, that the government of this kingdom, as it was, in a great part, managed by his ministers before the beginning of this parliament, consisted of many continued and multiplied acts of violation of laws; the wounds whereof were scarcely healed, when the extremity of all those violations was far exceeded by the late strange and unheard of breach of their laws in the accusation of the lord Kimbolton, and the five members of the commons' house, and in the proceedings thereupon; for which they had yet received no full satisfaction.

To his majesty's next question, whether he had denied any bill for the ease and security of his subjects? they wished they could stop in the midst of their answer; that with much thankfulness they acknowledged, that his majesty had passed many good bills full of contentment and advantage to his people: but truth and necessity enforced them to add this, that, even in or about the time of passing those bills, some design or other had been on foot, which, if it had taken effect, would not only have deprived them of the fruit of those bills, but have reduced them to a worse condition of confusion, than that wherein the parliament found them.

And if his majesty had asked them the third question intimated in that speech, what they

"had done for him? they told him, their answer would have been much more easy; that they had paid two armies with which the kingdom was burdened the last year, and had undergone the charge of the war in Ireland at this time, when, through many other excessive charges and pressures, whereby his subjects had been exhausted, and the stock of the kingdom very much diminished; which great mischiefs, and the charges thereupon ensuing, had been occasioned by the evil counsels so powerful with his majesty, and would cost this kingdom more than two millions; all which, in justice, ought to have been borne by his majesty.

"As for that free and general pardon his majesty had been pleased to offer, they said, it could be no security to their fears and jealousies, for which his majesty seemed to propound it; because they arose not from any guilt of their own actions, but from the evil designs and attempts of others.

"To that their humble answer to that speech, they desire to add an information, which they lately received from the deputy governor of the merchant adventurers at Rotterdam in Holland, that an unknown person, appertaining to the lord Digby, did lately solicit one James Henly, a mariner, to go to Elsinore, and to take charge of a ship in the fleet of the king of Denmark, there prepared; which he should conduct to Hull. In which fleet likewise, he said, a great army was to be transported: and although they were not apt to give credit to informations of that nature, yet they could not altogether think it fit to be neglected; but that it might justly add somewhat to the weight of their fears and jealousies, considering with what circumstances it was accompanied; with the lord Digby's precedent expressions in his letter to her majesty, and sir Lewis Dives; and his majesty's succeeding course of withdrawing himself northward from his parliament, in a manner very suitable and correspondent to that evil counsel; which, they doubted, would make much deeper impression in the generality of his people: and therefore they most humbly advised, and besought his majesty, for the procuring and settling the confidence of his parliament and all his subjects, and for the other important reasons concerning the recovery of Ireland, and securing this kingdom, which had been formerly presented to him, he would be graciously pleased, with all convenient speed, to return to those parts, and to close with the counsel and desire of his parliament; where he should find their dutiful affections and endeavours ready to attend his majesty with such entertainment, as should not only give him just cause of security in their faithfulness, but other manifold evidences of their earnest intentions, and endeavours to advance his majesty's service, honour, and contentment; and to establish it upon the sure foundation of the peace and prosperity of all his kingdoms."

This, which they called a petition, being presented to the king, his majesty immediately returned, by the same messengers, his answer in these words:

"If you would have had the patience to have expected our answer to your last declaration, (which, considering the nature of it, hath not

been long in coming,) we believe, you would have saved yourselves the labour of saying much of this message. And we could wish, that our privileges on all parts were so stated, that this way of correspondency might be preserved with that freedom, which hath been used of old. For we must tell you, that if you may ask any thing of us by message, or petition, and in what language (how unusual soever) you think fit; and we must neither deny the thing you ask, nor give a reason why we cannot grant it, without being taxed of breaking your privileges, or being counselled by those, who are enemies to the peace of the kingdom, and favourers of the Irish rebellion, (for we have seen your printed votes upon our message from Huntington,) you will reduce all our answers hereafter into a very little room; in plain English, it is to take away the freedom of our vote; which, were we but a subject, were high injustice; but being your king, we leave all the world to judge what it is.

"Is this the way to compose all misunderstandings? we thought we shewed you one, by our message of the twentieth of January; if you have a better or readier, we shall willingly hearken to it, for hitherto you have shewed us none. But why the refusal to consent to your order, which you call a denial of the militia, should be any interruption to it, we cannot understand. For the militia, which we always thought necessary to be settled, we never denied the thing (as we told you in our answer of the twenty-eighth of January) to the petition of the house of commons; for we accepted the persons, except for corporations; we only denied the way. You ask it by way of ordinance, and with such a preface, as we can neither with justice to our honour or innocence consent to. You exclude us from any power in the disposition or execution of it together with you, and for a time utterly unlimited. We tell you, we would have the thing done; allow the persons, with that exception; desire a bill, the only old way of imposing on our subjects: we are extremely unsatisfied what an ordinance is, but well satisfied, that without our consent it is nothing, not binding: and it is evident by the long time spent in this argument, the necessity and danger was not so imminent, but a bill might have been prepared; which if it shall yet be done, with that due regard to us, and care of our people, in the limitation of the power and other circumstances, we shall recede from nothing we formerly expressed in that answer to your order; otherwise, we must declare to all the world, that we are not satisfied with, or shall ever allow our subjects to be bound by, your printed votes of the fifteenth or sixteenth of this month; or that, under pretence of declaring what the law of the land is, you shall, without us, make a new law, which is plainly the case of the militia: and what is this but to introduce an arbitrary way of government?"

"Concerning Pym's speech, you will have found, by what the lord Compton and Mr. Baynton brought from us in answer to that message they brought to us, [that,] as yet, we rest nothing satisfied in that particular.

"As for the seditious pamphlets and sermons, we are both sorry and ashamed (in so great a

"variety, and in which our rights, honour, and authority are so insolently alighted and vilified, and in which the dignity and freedom of parliament is so much invaded and violated) it should be asked of us to name any. The mentioning of the Protestation Protested, the Apprentices' Protestation, *To your tents, O Israel*, or any other, would be too great an excuse for the rest: if you think them not worth your inquiry, we have done. But we think it most strange to be told, that our denial of a guard (which we yet never denied, but granted in another manner, and under a command at that time most accustomed in the kingdom,) or the denial of any thing else, (which is in our power legally to deny,) which in our understanding, of which God hath surely given us some use, is not fit to be granted, should be any excuse for so dangerous a course of people; which, not only in our apprehension, but, we believe, in the interpretation of the law itself, hath been always held most tumultuous and seditious. And we must wonder, what, and whence come the instructions and informations, that those people have, who can so easily think themselves obliged by the protestation to assemble in such a manner for the defence of privileges, which cannot be so clearly known to any of them, and so negligently pass over the consideration and defence of our rights, so beneficial and necessary for themselves, and scarce unknown to any of them; which by their oaths of allegiance and supremacy, and even by the same protestation, they are at least equally obliged to defend. And what interruptions such kind of assemblies may be to the freedom of future parliaments, (if not seasonably discountenanced and suppressed,) we must advise you to consider; as likewise, whether both our rights and powers may not by such means be usurped, by hands not trusted by the constitution of this kingdom. For our guard, we refer you to our answer to your declaration.

"By that question of violating your laws, by which we endeavoured to express our care and resolution to observe them, we did not expect you would have been invited to have looked back so many years, for which you have had so ample reparation; neither looked we to have been reproached with the actions of our ministers then against the laws, whilst we express so great a zeal for the present defence of them; it being our resolution, upon observation of the mischief which then grew by arbitrary power, (though made plausible to us by the suggestions of necessity and imminent danger; and take you heed, you fall not into the same error, upon the same suggestions,) hereafter to keep the rule ourself, and to our power require the same from all others. But above all, we must be most sensible of what you cast upon us for requital of those good bills, you cannot deny. We have denied any such design; and as God Almighty must judge in that point between us, who knows our upright intentions at the passing those laws, so in the mean time we defy the Devil to prove, that there was any design (with our knowledge or privity) in or about the time of passing those bills, that, had it taken effect, could have deprived our subjects of the fruit of them. And therefore we demand full reparation in this point, that we may be cleared in the sight of all the

"world, and chiefly in the eyes of our loving subjects, from so notorious and false an imputation as this is.

"We are far from denying what you have done; for we acknowledge the charge our people have sustained in keeping the two armies, and in relieving Ireland; of which we are so sensible, that, in regard of those great burdens our people have undergone, we have, and do patiently suffer those extreme personal wants, as our predecessors have been seldom put to, rather than we would press upon them; which we hope in time will be considered on your parts.

"In our offer of a general pardon, our intent was to compose and secure the general condition of our subjects, conceiving that, in these times of great distractions, the good laws of the land have not been enough observed: but it is a strange world, when princes' proffered favours are counted reproaches: yet if you like not this our offer, we have done.

"Concerning any discourses of foreign forces, though we have given you a full answer in ours to your last declaration, yet we must tell you, we have neither so ill an opinion of our own merit, or the affections of our good subjects, as to think ourself in need of any foreign forces to preserve us from oppression; and we shall not need for any other purpose: but are confident, through God's providence, not to want the good wishes and assistance of the whole kingdom, being resolved to build upon that sure foundation, the law of the land: and we take it very ill, that any general discourses between an unknown person and a mariner, or inferences upon letters, should be able to prevail in matters so improbable in themselves, and scandalous to us; for which we cannot but likewise ask reparation, not only for the vindicating of our own honour, but also thereby to settle the minds of our subjects, whose fears and jealousies would soon vanish, were they not fed and maintained by such false and malicious rumours as these.

"For our return to our parliament, we have given you a full answer in ours to your declaration; and you ought to look on us as not gone, but driven (we say not by you, yet) from you. And if it be not so easy for you to make our residence in London so safe as we could desire, we are and will be contented, that our parliament be adjourned to such a place, where we may be fitly and safely with you. For though we are not pleased to be at this distance, yet you are not to expect our presence, until you shall both secure us concerning our just apprehensions of tumultuary insolences, and likewise give us satisfaction for those insupportable and insolent scandals, that are raised upon us.

"To conclude: as we have or shall not refuse any way agreeable to justice or honour, which shall be offered to us for the begetting a right understanding between us; so we are resolved that no straits or necessities, to which we may be driven, shall ever compel us to do that, which the reason and understanding that God hath given us, and our honour and interest, with which God hath trusted us for the good of our posterity and kingdoms, shall render unpleasant and grievous to us. And we assure you, that how meanly soever you are pleased to value the discharge of our public duty, we are so conscious

"to ourself of having done our part since this parliament, that, in whatsoever condition we now stand, we are confident of the continued protection from Almighty God, and the constant gratitude, obedience, and affection from our people. And we shall trust God with all."

These quick answers from the king gave them very much trouble, and made it evident to them, that he would be no more swagtered into concessions that he thought unreasonable, or persuaded to them upon general promises, or an implicit confidence in their future modesty; but that he demanded reparation for the breach of his privileges, and so fought with them with their own weapons, troubled them much more; apprehending that, in a short time, the people might be persuaded to believe, that the king was in the right, and had not been well dealt with: and though some few, who thought themselves too far engaged to retire, were glad of the sharpness of these paper skirmishes, which they believed made the wound still wider, and more incurable; yet the major part, which had been induced to join with them out of confidence that the king would yield, and that their boldness and importunity in asking would prevail with his majesty to consent, wished themselves fairly unentangled: and I have heard many of the fiercest concurrens, and who have ever since kept them company, at that time profess, "that if any expedient might be found to reconcile the present difference about the militia, they would no more adventure upon demands of the like nature:" and the earl of Essex himself was startled, and confessed to his friends, "that he desired a more moderate proceeding should be in parliament; and that the king, who had given so much, should receive some satisfaction." But those of the court, who thought their faults to their master most unpardonable, could not endure that he being the youngest courtier should be the eldest convert; and therefore, by repeating what the king and queen had said of him heretofore, and by fresh intelligence, which they procured from York, of what the king then thought of him, they persuaded him, "that his condition was too desperate to recede:" and all men were persuaded, that this severe deportment of the king proceeded from the spirit of some new evil counsellors, who would be as soon destroyed as discovered; and that then they would so carry themselves, that the king should owe his greatness and his glory (for they still said, "he should excel all his predecessors in both") to their formed counsels and activity, and not to the whispers of those who thought to do his business without them. And I am persuaded, that even then, and I was at that time no stranger to the persons of most that governed, and a diligent observer of their carriage, they had rather a design of making themselves powerful with the king, and great at court, than of lessening the power of the one, or reforming the discipline of the other: but, no doubt, there were some few in the number that looked further; yet, by pretending that, kept up the mettle of writing, and inclined them for their honour to new declarations.

When the king came to York, he found himself at ease; the country had received him with great expressions of joy and duty, and all persons of quality of that great county, and of the counties adjacent, resorted to him, and many persons of condition from London, and those parts, who had

not the courage to attend upon him at Whitehall; so that the court appeared with some lustre. And now he began to think of executing some of those resolutions, which he had made with the queen before her departure; one of which was, and to be first done, the removing the earls of Essex and Holland from their offices in the court, the one of chamberlain, the other of groom of the stole, which hath the reputation and benefit of being first gentleman of the bedchamber. Indeed no man could speak in the justification of either of them, yet no man thought them both equally culpable. The earl of Holland was a person merely of the king's creation; raised from the condition of a private gentleman, a younger brother of an extraction that lay under a great blemish, and without any fortune, to a great height by the king's mere favour and bounty. And he had not only adorned him with titles, honours, and offices, but enabled him to support those in the highest lustre, and with the largest expense: and had drawn many inconveniences, and great disadvantages, upon himself and his service, by his preferring him to some trusts, which others did not only think themselves, but really were, worthier of; but especially by indulging him so far in the rigorous execution of his office of chief justice in eyre, in which he brought more prejudice upon the court, and more discontent upon the king, from the most considerable part of the nobility and gentry in England, than any one action, that had its rise from the king's will and pleasure, though it was not without some warrant from law; which having not been practised for some hundreds of years, was looked upon as a terrible innovation and exaction upon persons, who knew not that they were in any fault; nor was any imputed to them, but the original sin of their forefathers, even for which they were obliged to pay great penalties and ransoms. That such a servant should suffer his zeal to lessen and decay towards such a master, and that he should keep a title to lodge in his bedchamber, from whose court he had upon the matter withdrawn himself, and adhered to and assisted those who affronted and contemned his majesty so notoriously, would admit of no manner of interposition and excuse.

Less was to be objected against the earl of Essex, who, as he had been, all his life, without obligations from the court, and believed he had undergone oppression there, so he was, in all respects, the same man he had always professed himself to be, when the king put him into that office; and in receiving of which, many men believed, that he rather gratified the king, than that his majesty had obliged him in conferring it; and it had been, no doubt, the chief reason of putting the staff in his hand, because in that conjuncture no other man, who would in any degree have appeared worthy of it, had the courage to receive it. However having taken the charge upon him, he ought, no doubt, to have taken all his master's concerns more to heart, than he had done; and he can never be excused for staying in Whitehall, when the king was with that outrage driven from thence, and for choosing to behold the triumph of the members' return to Westminster, rather than to attend his majesty's person in so great perplexity to Hampton-court; which had been his duty to have done, and for failing wherein no other excuse can be made, but that, after he had taken so full a resolution to



have waited upon his majesty thither, that he had dressed himself in his travelling habit, he was diverted from it by the earl of Holland, who ought to have accompanied him in the service, and by his aversion, "that if he went, he should be assassinated;" which was never thought of.

Notwithstanding all this, the persons trusted by his majesty, and remaining at London, had no sooner notice of it, (which his majesty sent to them, that he might be advised the best way of doing it,) but they did all they could to dissuade the pursuing it. They did not think it a good conjuncture to make those two desperate; and they knew that they were not of the temper and inclinations of those, who had too much credit with them, nor did desire to drive things to the utmost extremities, which could never better their conditions; and that they did both rather desire to find any expedients, by which they might make a safe and an honourable retreat, than to advance in the way they were engaged. But the argument they chiefly insisted on to the king, was, "that, being deprived of their offices, they would be able to do more mischief, and ready to embark themselves with the most desperate persons, in the most desperate attempts;" which fell out accordingly. And there is great reason to believe, that if that resolution the king had taken had not been too obstinately pursued at that time, many of the mischiefs, which afterwards fell out, would have been prevented; and, without doubt, if the staff had remained still in the hands of the earl of Essex, by which he was charged with the defence and security of the king's person, he would never have been prevailed with to have taken upon him the command of that army, which was afterwards raised against the king, and with which so many battles were fought. And there can be as little doubt in any man, who knew well the nature and temper of that time, that it had been utterly impossible, for the two houses of parliament to have raised an army then, if the earl of Essex had not consented to be general of that army.

But the king was inexorable in the point; he was obliged by promise to the queen at parting, which he would not break; and her majesty had contracted so great an indignation against the earl of Holland, whose ingratitude indeed towards her was very odious, that she had said, "she would never live in the court, if he kept his place." And so the king sent an order to Littleton, then lord keeper of the great seal, "that he should require the staff and key from the one and the other, and receive them into his custody." The keeper trembled at the office, and had not courage to undertake it. He went presently to the lord Falkland, [and] desired him to assist him in making his excuse to the king. He made many professions of his duty to the king, "who, he hoped, would not command him in an affair so unsuitable to the office he held under him; that no keeper had ever been employed in such a service; that if he should execute the order he had received, it would in the first place be voted a breach of privilege in him, being a peer; and the house would commit him to prison, by which the king would receive the greatest affront, though he should be ruined; whereas the thing itself might be done by a more proper officer, without any inconvenience."

How weak soever the reasons were, the passion was strong; and the lord Falkland could not refuse to convey his letter to the king, which contained his answer in his own words, with all the imaginable professions of duty and zeal for his service. How ill soever his majesty was satisfied, he saw the business would not be done that way; and therefore he writ immediately a letter, all in his own hand, to the lord Falkland; in which with some gracious expressions of excuse for putting that work upon him, he commanded him "to require the surrender of the ensigns of their offices from those two earls." The lord Falkland was a little troubled in receiving the command: they were persons from whom he had always received great civilities, and with whom he had much credit; and this harsh office might have been more naturally, and as effectually, performed by a gentleman usher, as the same staff had been demanded before from the earl of Pembroke, within less than a year. However, he would make no excuse, being a very punctual and exact person in the performance of his duty; and so went to both of them, and met them coming to the house, and imparted his message to them: they desired him very civilly, "that he would give them leave to confer a little together, and they would, within half an hour, send for him into the house of commons:" whither he went, and they, within less time, sent to him to meet them in sir Thomas Cotton's garden, (a place adjacent, where the members of both houses used frequently to walk,) and there, with very few words, they delivered the staff and the key into his hands, who immediately carried them to his lodging; and they went up to the house of peers: and immediately both houses took notice of it, and with passion, and bitter expressions against the evil counsellors, who had given his majesty that counsel, they concurred in a vote, "that whosoever presumed to accept of either of those offices, should be reputed an enemy to his country;" and then they proceeded with more impetuosity in the business of the militia, and all other matters which most trench upon the king's authority.

Whilst they were so eager in pursuit of the militia, and pretended the necessity so imminent, that they could not defer the disposition thereof till it might be formally and regularly settled by bill, they had their eye upon another militia, the royal navy; without recovering of which to their own power, (though they were satisfied by the pulse of the people, that they would join with them, and be generally obedient to their commands,) they had no mind to venture upon the execution of their land ordinance. And therefore, in the beginning of the spring, when the fleet for that year was provided, after they [had] excepted against such persons to be captains of ships, as they thought not devoted to them, (as is before mentioned,) they sent a formal message to the lords, "that the earl of Northumberland, lord admiral, might be moved to constitute the earl of Warwick his admiral of the fleet for that year's service, being a person of such honour and experience, as they might safely confide in him; and that the earl of Warwick might be desired to undertake that service." The lords thought fit that the king's approbation might be first desired, before it was recommended



to the earl of Northumberland : but the commons thought that superfluous, since it was absolutely in the earl's disposal to dispose of the officers of the fleet ; and therefore refused to send to the king, but of themselves sent to both the one earl and the other ; and the earl of Warwick, being well pleased with the trust, very frankly, without waiting the king's consent, declared, " that he was ready to undertake the employment." But this being so publicly agitated, the king could not but take notice of it ; and finding that the business should not be proposed to him, thought it necessary to signify his pleasure in it, that so at least the lord admiral might not pretend innocence, if ought should be done to his disservice ; and therefore he appointed Mr. Secretary Nicholas to write to the earl of Northumberland, " that his majesty expected that sir John Pennington should command that fleet, as he had done two or three years before." This letter being communicated to both houses, and the lord admiral being thereby upon the disadvantage of a single contest with the king, the house of commons, rather out of kindness and respect to the earl, than of duty to the king, condescended to join with the lords in a message to the king ; which they sent not by members of their own, but directed the lord keeper " to inclose it in a letter to the secretary attending the king, and to send the same to York ;" which he did accordingly. The message was :

" That the lords and commons, in this present parliament assembled, having found it necessary to provide, and set to sea, a strong and powerful navy for the defence of this kingdom against foreign force, and for the security of his majesty's other dominions, the charge whereof was to be borne by the commonwealth : and taking notice of the indisposition of the lord admiral, which disabled him, at that time, for commanding the fleet in his own person, did thereupon recommend unto his lordship the earl of Warwick, a person of such quality and abilities, in whom they might best confide, to supply his lordship's room for this employment : and understanding that his majesty hath since signified his pleasure concerning that command for John Pennington, they said, they did hold it their duty to represent to his majesty the great danger and mischief the commonwealth was like to sustain by such interruption ; and therefore did humbly beseech his majesty, that the noble person, recommended by both houses of parliament for this service, might no longer be detained from it, out of any particular respect to any other person whatsoever."

The same day that this message came to his majesty, he despatched an answer to the lord keeper ; in which he told him, " that he wondered both at the form and matter of that inclosed paper he had sent to him, in the name of both houses of parliament ; it being neither by the way of petition, declaration, or letter ; and for the matter, he believed, it was the first time, that the houses of parliament had taken upon them the nomination, or recommendation of the chief sea-commander ; but it added to the wonder, that sir John Pennington being already appointed by him for that service, upon the recommendation of his admiral, and no fault so much as alleged against him, another should

" be recommended to him. Therefore, he said, his resolution upon that point was, that he would not alter him, whom he had already appointed to command that year's fleet ; whose every ways sufficiency was so universally known, the which he was confident his admiral, if there should be occasion, would make most evident ; against whose testimony he supposed his parliament would not except. And though there were yet none appointed, or the said sir John, through some accident, not able to perform the service ; yet, he said, the men of that profession were so well known to him, besides many other reasons, that (his admiral excepted, because of his place) recommendations of that kind would not be acceptable to him."

This answer was no other than they expected, though they seemed troubled at it, and pretended that they had many things of misdemeanour to object against sir John Pennington, at least such matters as would render him incapable of that trust ; the greatest of which was, that he had conveyed the lord Digby over sea ; though they well knew (as is before mentioned) that he had the king's warrant and command for that purpose ; and therefore moved the lords that he might be sent for to be examined upon many particulars : and in the mean time, whilst they caused him to attend their leisure to be examined, they proceeded in hastening the earl of Warwick to make himself ready for the service, who made no scruple of undertaking it ; and the earl of Northumberland receiving the order, and desire of both houses, " to grant his commission to him to be admiral of that fleet," thought himself sufficiently excused towards the king, and did it accordingly ; the two houses in the mean time, without any further thought of procuring the king's consent, preparing reasons to satisfy his majesty for the necessity or conveniency of their proceeding.

Many men, especially they who at a distance observed and discerned the difficulties the king was like to encounter, wondered that upon so apparent a breach of trust, and act of undutifulness, his majesty did not at that time revoke the lord admiral's commission, which was but during pleasure ; and so put that sure guard of the kingdom, his navy, under such a command as he might depend upon. But the truth is, it was not then counsellable ; for (besides that it was easier to resolve, " that it was fit to remove the earl of Northumberland," than to find a man competent for the place) that way it might have been possible to have prevented the going out of any fleet to sea, which would have confirmed the frantic jealousies of bringing in foreign forces, [but] not have reduced it to his own obedience.

They had, by degrees, so ordered the collection of tonnage and poundage, by passing bills for six weeks and two months at a time, and putting those, who should receive or pay those duties, otherwise than they were granted by those bills, into a *præsumpture* ; and so terrified the old customers, that the king had no other means of setting out his fleet, than by the monies arising by the customs, which they absolutely disposed of ; and at this time had contracted with the victualler, made the ships ready, and hired many merchants' ships to join in that fleet for the guard of the seas. And whilst this matter of the admiral was in suspense, they suffered the former bill of tonnage and poundage

to expire, and did not, till the very night before, pass a new bill; which could not have the royal assent till many days after, the king being then at York. Yet the house of commons, to save all danger of the *præmunire*, on the twenty-fourth of March, being the very day that the former bill expired, sent an order to all the collectors of the customs, many of which could not receive it in ten days after;

"That the new bill being passed by both houses for the continuance of those payments until the third day of May, (which could not yet receive the royal assent, in regard of the remoteness of his majesty's person from the parliament,) which monies to be collected by that bill were to be employed for the necessary guarding of the seas, and defence of the commonwealth: it was therefore ordered by the commons in parliament, that the several officers belonging to the custom-house, both in the port in London, and the out-ports, should not permit any merchant or other to lade or unlade any goods, or merchandises, before such persons do first make due entries thereof in the custom-house. And it was declared also by the said commons, that such officers, upon the respective entry made by any merchant as aforesaid, should intimate to such merchant, that it was the advice of the commons, for the better ease of the said merchants, and in regard the respective duties would relate, and become due as from that day; that the said merchants upon entry of their goods, as usually they did, when a law was in force to that purpose, would deposit so much money as the several customs would amount unto, in the hands of such officers, to be by them accounted to his majesty, as the respective customs due by the said bill, when the said bill should have the royal assent; or otherwise, his majesty refusing the passing thereof, the said monies to be restored, upon demand, unto the several merchants respectively."

By which order, which was a more absolute dispensation for a *præmunire*, than ever any *non-obstante* granted by the crown, the customs were as frankly and fully paid, as if an act of parliament had been passed to that purpose; and as soon as the commission could be sent, and returned from York, the act was passed. But no doubt they had a further design in suffering the bill totally to expire, before they prepared a new [one], than at that time was apprehended; and intended, under such a popular necessity, which seemed to be occasioned by the king's absence, to bring their own orders in such reputation, that in another necessity which they should declare, they might by the precedent of this, which was the only indemnity all those merchants who paid, and the officers who received, customs, had for the preservation of their estates, be currently and absolutely obeyed and submitted to.

By this it appears the king could not at that time, with convenience or safety to his affairs, displace the earl of Northumberland; and he believed, if his occasions should hereafter require it, that the time would be much more seasonable, when the fleet was at sea; and the thing itself more practicable: which was a true conclusion. However, he expressed so much dislike against the earl of Warwick's commanding that fleet, that he was not willing that any officers whom he valued should take employment under him; which he had shortly

after cause to repent. For, by this means, the vice-admiralty, which was designed to captain Cartwright, the comptroller of the navy, who hath since sufficiently testified how advantageously to his majesty he would have managed that charge, upon his refusal (which was occasioned by intimation from his majesty, as shall be hereafter mentioned) was conferred upon Batten, an obscure fellow; and, though a good seaman, unknown to the navy, till he was, two or three years before, for money, made surveyor, who executed it ever since with great animosity against the king's service, of which more hereafter.

Being, by this means, secure at sea, they proceeded with more vigour at land; and, though they thought it not yet seasonable to execute their ordinance for the militia with any form and pomp, they directed, underhand, their agents and emissaries, "that the people, of themselves, should choose captains and officers, and train under the name of volunteers;" which began to be practised in many places of the kingdom, but only in those corporations, and by those inferior people, who were notorious for faction and schism in religion. The king's declarations, which were now carefully published, gave them some trouble, and made great impression in sober men, who were moved with the reason, and in rich men, who were startled at the commands in them. But that clause in the king's answer to their declaration, presented to him at Newmarket, in which he told them, "that if they had not been informed of the seditious words used in, and the circumstances of the tumults, and would appoint some way for the examination of them, that he would require some of his learned council to attend with such evidence as might satisfy them," troubled them much more. For if there were still so much courage left in the king's council, that they durst appear to inform against any of those proceedings, which they favoured, they should find men grow more afraid of the law than of them; which would destroy all their designs. Therefore they resolved to proceed with all expedition, and severity, against the attorney general for his trespass and presumption upon their privileges, in the accusation of the five members, and the lord Kimbolton: of the circumstances of which proceeding, and judgment thereupon, being as extraordinary, and as distant from the rules of justice, at least of practice, as any thing that then happened, it will not be amiss to set down two or three particulars.

Shortly after they had impeached him, (which is mentioned before,) and the king had found it necessary to give over any prosecution against them, his majesty being desirous, now he had freed them, that they should free his attorney, writ a letter from Royston, when he was in his way to York, to the lord keeper; in which he told him, "that the articles, which had been preferred against the members, [were,] by himself, delivered to his attorney general, engrossed in paper; and that he had then commanded him to accuse those persons, upon those articles of high treason, and other misdemeanours; and, in his name, to desire a committee of lords might be appointed to take the examinations of such witnesses as should be produced, as formerly had been done in cases of like nature, according to the justice of the house. And his majesty did further declare, that his said attorney did not advise or

"contrive the said articles, nor had any thing to do with, or in advising, any breach of privilege that followed after. And for what he did in obedience to his commands, he conceived he was bound by oath, and the duty of his place, and by the trust reposed in him by his majesty, so to do : and that, if he had refused to obey his majesty therein, his majesty would have questioned him for breach of oath, duty, and trust ; but now having declared that he found cause wholly to desist from proceeding against the persons accused, he had commanded him to proceed no further therein, nor to produce nor to discover any proof concerning the same."

Though this testimony of his majesty's clearly absolved him from the guilt, with which he was charged, yet it rather hastened the trial, and sharpened the edge, that was before keen enough against him ; and the day of trial being come, when the members of the commons, who were appointed for the prosecution, found that council was ready (which had been assigned by the lords) for the defence of the attorney general, they professed, "that they would admit no council ; that it was below the dignity of the house of commons to plead against fee'd council ; that whoever presumed to be of council with a person accused by the commons of England, should be taught better to know his duty, and should have cause to repent it." The lords seemed much moved with this reproach, that their acts of judicature should be questioned, and the council, which had been justly and regularly assigned by them, should be threatened for submitting to their order. But that which troubled them most, was, that the council, which was assigned by them, upon this reprehension and threat of the commons, positively refused to meddle further in the business, or to make any defence for the attorney. Hereupon they put off the trial, and commit to the Tower of London sir Thomas Bedingfield, and sir Thomas Gardiner, for their contempt in refusing to be of council with the attorney upon their assignment : standers by looking upon the justice of parliament with less reverence, to see the subject, between the contradictory and opposite commands of both houses, (the displeasure of either being insupportable,) punished and imprisoned for not doing, by one, what he was straitly inhibited by the other not to do.

However, this difference gave only respite for some days to the attorney, who was quickly again called before his judges. To what was passionately and unreasonably objected against him, "of breach of privilege and scandal," he confidently alleged "the duty of his place ; that his master's command was warrant for what he had done ; and that he had been justly punishable, if he had refused to do it when commanded ; that there had never been a pretence of privilege in case of treason, the contrary whereof was not only understood by the law, but had been by themselves confessed, in a petition delivered by them in the beginning of this king's reign, upon the imprisonment of the earl of Arundel ; in which it was acknowledged, that the privilege of parliament extended not to treason, felony, or refusal to find sureties for the peace ; that he had no reason to suspect the executing the duty of his place would have been imputed to him for any trespass, since the very same thing he had now done, and of which

"he stood accused, was done, in the first year of this king's reign, by sir Robert Heath, the then attorney general ; who exhibited articles of high treason before their lordships, against the earl of Bristol, which was not then understood to be any breach of privilege ; and therefore, having so late a precedent, most of their lordships being then judges, he hoped he should be held excusable for not being able to discern that to be a crime, which they had yet never declared to be so." The undeniable reasons of his defence (against which nothing was replied, "but the inconvenience and mischief, which would attend a parliament, if the members might be accused of high treason without their consent") prevailed so far with the major part of the house of peers, though the prosecution was [carried on] with all imaginable sharpness and vehemence by the house of commons, and entertained by those peers who were of that party, as a matter of vast concernment to all their hopes, that the questions being put, whether he should be deprived of his place of attorney ? whether he should be fined to the king ? whether he should pay damages to the persons accused ? and whether he should be committed to the Tower ? which were the several parts of the sentence, which many of the lords had judged him to undergo, the negative prevailed in every one of the particulars ; so that the attorney was understood by all men, who understood the rules and practice of parliament, to be absolutely absolved from that charge and impeachment, by the judgment of the house of peers.

The house of commons expressed all possible resentment, and declared, "that they would not rest satisfied with the judgment ;" and some lords, even of those who had acquitted him, were very desirous to find out an expedient, whereby the house of commons might be compounded with ; and it was believed, that the attorney himself was much shaken with the torrent of malice and prejudice, which the house of commons seemed now to threaten him with ; conceiving, "that he and his office now triumphed over the whole body, and not over six members only : " and therefore, after some days, the house of peers considering, "that his discharge was but negative, that he should not be punished in this and that degree ; and that he had no absolution from the crime, with which he was charged," proceeded to a new judgment, (contrary to all course and practice of parliament, or of any judicial court,) and complying with all their other votes, resolved, by way of judgment upon him, "that he should be disabled from ever being a parliament man ; incapable of any place of judicature, or other preferment, than of attorney general ;" which they could not deprive him of, by reason of the former vote ; and "that he should be committed to the prison of the Fleet." Which sentence was with all formality pronounced against him, and he committed to the Fleet accordingly : the which the commons was no more satisfied with than with the former ; some of them looking that their favourite, the solicitor, should have the place of attorney ; others, that the accused members should receive ample damages by way of reparation ; without which they could not think themselves secure from the like attempts.

Having, by this extraordinary and exemplary proceeding, fortified their privileges against such

attempts, and secured their persons from being accused, or proceeded against by law, they used no less severity against all those who presumed to question the justice or prudence of their actions, especially against those, who, following the method that had done so much hurt, drew the people to petition for that which they had no mind to grant; and in this prosecution they were not less severe and vehement, than against the highest treason could be imagined.

Upon the petition mentioned before, that was framed in London against their settling the militia, they committed one George Binion, a citizen of great reputation for wealth and wisdom, and [who] was indeed a very sober man. After he had lain some time in prison, the lords, according to law, bailed him; but the commons caused him the next day to be recommitted, and preferred an impeachment against him, for no other crime but "advising and contriving that petition." The gentleman defended himself, "that it was always held, and so publicly declared this parliament, to be lawful, in a modest way, to petition for the removal or prevention of any grievance: that he observing very many petitions to be delivered, and received, for the settling the militia in another way than was then agreeable to the law, or had been practised, and conceiving that the same would prove very prejudicial to the city of London, of which he was a member, he had joined with many other citizens, of known ability and integrity, in a petition against so great an inconvenience; which he presumed was lawful for him to do." How reasonable soever this defence was, the house of peers adjudged him "to be disfranchised, and incapable of any office in the city; to be committed to the common gaol of Colchester," (for his reputation was so great in London, that they would not trust him in a city prison,) and fined him three thousand pounds.

About the same time, at the general assizes in Kent, the justices of peace, and principal gentlemen of that county, prepared a petition to be presented to the two houses, with a desire, "that the militia might not be otherwise exercised in that county, than the known law permitted: and that the Book of Common-Prayer, established by law, might be observed." This petition was communicated by many to their friends, and copies thereof sent abroad, before the subscription was ready; whereupon the house of peers took notice of it, as tending to some commotion in Kent; and, in the debate, the earl of Bristol taking notice, "that he had seen a copy of it, and had had some conference about it with judge Mallet," who was then judge of assize in Kent, and newly returned out of his circuit, both the earl and judge, for having but seen the petition, were presently committed to the Tower; and a declaration published, "that none should presume to deliver that, or the like petition to either house." Notwithstanding which, some gentlemen of Kent, with a great number of the substantial inhabitants of that county, came to the city; which, upon the alarm, was put in arms; strong guards placed at London-bridge, where the petitioners were disarmed, and only some few suffered to pass with their petition to Westminster; the rest forced to return to their country. And, upon the delivery thereof to the house of commons, (though the same was very

modest, and in a more dutiful dialect than most petitions delivered to them,) the bringers of the petition were sharply reprehended; two or three of them committed to several prisons; the principal gentlemen of the country, who had subscribed and advised it, sent for as delinquents; and charges, and articles of impeachment, drawn up against them; and a declaration published, "that whosoever should henceforth advise or contrive the like petitions, should be proceeded against, as enemies to the commonwealth." So unlike and different were their tempers, and reception of those modest addresses, which were for duty and obedience to the laws established, and those which pressed and brought on alteration and innovation. But that injustice gave great life and encouragement to their own proselytes; and taught others to know that their being innocent would not be long easy or safe: and this kind of justice extended itself in the same measure to their own members, who opposed their irregular determinations; who, besides the agony and vexation of having the most abstract reason, and confessed law, rejected, and overruled with contempt and noise, were liable to all the personal reproaches and discountenance, that the pride and petulance of the other party could lay upon them; and were sometimes imprisoned and disgraced, for freely speaking their opinions and conscience in debate.

All sorts of men being thus terrified, the commons remembered, that a great magazine of the king's ammunition lay still at Hull; and though that town was in the custody of a confident of their own, yet they were not willing to venture so great a treasure so near the king, who continued at York, with a great resort of persons of honour and quality from all parts; and therefore they resolved, under pretence of supplying Ireland, to remove it speedily from thence; and to that purpose moved the lords, "to join with them in an order to that purpose." The lords, who proceeded with less fury, and more formality, desired, "that it might be done with the king's consent." After a long debate, the one thinking they merited much by that civility, the other contented to gratify those in the ceremony, who, they knew, would in the end concur with them, a petition was agreed upon to be sent to his majesty; in which, that he might the sooner yield to them in this matter, they resolved to remember him of that, which, they thought, would reflect on him with the people, and to "move him to take off the reprieve from the six priests," which is before mentioned. And so they sent their petition to him, telling him, "that they found the stores of arms and ammunition in the tower of London much diminished; and that the necessity for supply of his kingdom of Ireland (for which they had been issued from thence) daily increased; and that the occasion, for which the magazine was placed at Hull, was now taken away; and considering it would be kept at London with less charge, and more safety, and transported thence with much more convenience for the service of the kingdom of Ireland; they therefore humbly prayed, that his majesty would be graciously pleased to give leave, that the said arms, cannon, and ammunition, now in the magazine of Hull, might be removed to the Tower of London, according as should be directed by both his houses of parliament. And whereas six priests, then in New-

"gate, were condemned to die, and by his majesty had been reprieved, they humbly prayed his majesty to be pleased, that the said reprieves might be taken off, and the priests executed according to law." To which petition his majesty immediately returned answer in these words:

"We rather expected, and have done so long, that you should have given us an account, why a garrison hath been placed in our town of Hull, without our consent, and soldiers billeted there against law, and express words of the Petition of Right, than to be moved, for the avoiding of a needless charge you have put upon yourselves, to give our consent for the removal of our magazine and munition, our own proper goods, upon such general reasons as indeed give no satisfaction to our judgment: and since you have made the business of Hull your argument, we would gladly be informed, why our own inclination, on the general rumour of the designs of papists in the northern parts, was not thought sufficient ground for us to put a person of honour, fortune, and unblemished reputation, into a town and fort of our own, where our own magazine lay: and yet the same rumour be warrant enough for you to commit the same town and fort, without our consent, to the hands of sir John Hotham, with a power unagreeable to the law of the land, or the liberty of the subject.

"And yet of this, in point of right, or privilege, for sure we are not without privilege too, we have not all this while complained: and being confident that the place, whatsoever discourse there is of public or private instructions to the contrary, shall be speedily given up, if we shall require it, we shall be contented to dispose our munition there, as we have done in other places, for the public ease and benefit, as, upon particular advice, we shall find convenient; though we cannot think it fit, or consent, that the whole magazine be removed together. But when you shall agree upon such proportions, as shall be held necessary for any particular service, we shall sign such warrants as shall be agreeable to wisdom and reason; and if any of them be designed for Ulster, or Lemster, you know well the conveyance will be more easy and convenient from the place they are now in. Yet we must tell you, that if the fears are so great from the papists at home, or of foreign force, as is pretended, it seems strange that you make not provision of arms and munition for defence of this kingdom, rather than seek to carry any more from hence, without some course taken for supply; especially, if you remember your engagement to our Scots subjects, for that proportion of arms which is contained in your treaty. We speak not this, as not thinking the sending of arms to Ireland very necessary, but only for the way of the provision. For you know what great quantities we have assigned out of our several stores, which, in due time, we hope, you will see replenished. For the charge of looking to the magazine at Hull, as it was undertaken voluntarily by you at first, and, to say no more, unnecessarily; so you may free our good people of that charge, and leave it to us to look to, who are the proper owner of it. And this, we hope, will give you full satisfaction in this point, and that ye do not, as you have done in the business of the militia, send this message

"out of compliment and ceremony, resolving to be your own carvers at last. For we must tell you, if any attempt shall be made or given in this matter, without our consent or approbation, we shall esteem it as an act of violence against us; and declare it to all the world, as the greatest violation of our right, and breach of our privilege.

"Concerning the six priests condemned, it is true, they were reprieved by our warrant, [we] being informed, that they were, by some restraint, disabled to take the benefit of our former proclamation: since that, we have issued out another, for the due execution of the laws against papists; and have most solemnly promised, in the word of a king, never to pardon any priest without your consent, which shall be found guilty by law; desiring to banish these, having herewith sent warrant to that purpose, if, upon second thoughts, you do not disapprove thereof. But if you think the execution of these persons so very necessary to the great and pious work of reformation, we refer it wholly to you; declaring hereby, that upon such your resolution signified to the ministers of justice our warrant for their reprieve is determined, and the law to have the course. And now let us ask you, (for we are willing to husband time, and to despatch as much as may be under one message; God knows the distractions of this kingdom want a present remedy,) will there never be a time to offer to, as well as to ask of us? We will propose no more particulars to you, having no luck to please, or to be understood by you; take your own time for what concerns our particular: but be sure you have an early, speedy care of the public; that is, of the only rule that preserves the public, the law of the land; preserve the dignity and reverence due to that. It was well said in a speech, made by a private person; it was Mr. Pym's speech against the earl of Strafford, but published by order of the house of commons this parliament: the law is that which puts a difference betwixt good and evil, betwixt just and unjust. If you take away the law, all things will fall into a confusion, every man will become a law unto himself; which, in the depraved condition of human nature, must needs produce many great enormities. Lust will become a law, and envy will become a law; covetousness and ambition will become laws; and what dictates, what decisions, such laws will produce, may easily be discerned. So said that gentleman, and much more, very well, in defence of the law, and against arbitrary power. It is worth looking over, and considering: and if the most zealous defence of [the] true protestant profession, and the most resolved protection of the law, be the most necessary duty of a prince, we cannot believe this miserable distance and misunderstanding can be long continued between us; we having often and earnestly declared them to be the chiefest desires of our soul, and the end and rule of all our actions. For Ireland, we have sufficiently, and we hope satisfactorily, expressed to all our good subjects our hearty sense of that sad business, in our several messages in that argument, but especially in our last of the eighth of this month, concerning our resolution for that service; for the speedy, honourable, and full performance whereof, we

"conjure you to yield all possible assistance and present advice."

This answer was received with the usual circumstances of trouble and discontent, the taxation of evil counsellors and malignant persons about the king; and that clause about the condemned priests exceedingly displeased them; for by the king's reference of the matter entirely to them, he had removed the scandal from himself, and laid it at their doors; and though they were well content, and desirous, that they should have been executed by the king's warrant, for taking off his own reprove, (whereby they should have made him retract an act of his own mercy, and undeniably within his own power; and thereby have lessened much of the devotion of that people to him, when they should have seen him quit his power of preserving them in the least degree,) yet, for many reasons, they were not willing to take that harsh part upon themselves; and so those condemned priests were no more prosecuted, and were much safer under that reference for their execution, than they could have been, at that time, by a pardon under the great seal of England. For the other part of the answer concerning the magazine, it made no pause with them; but, within few days after, they sent a warrant to their own governor, sir John Hotham, to deliver it; and to their own admiral, the earl of Warwick, to transport it to London; which was, notwithstanding the king's inhibition, done accordingly. But they had at that time another message from the king, which was referred to in the last clause of that answer, and came to their hands some few days before, that gave them some serious trouble and apprehension; the grounds and reasons of which were these:

The king finding that, notwithstanding all the professions and protestations he could make, the business of Ireland was still unreasonably objected to him, as if he were not cordial in the suppressing that rebellion, sent a message to both houses:

"That being grieved at the very soul for the calamities of his good subjects of Ireland, and being most tenderly sensible of the false and scandalous reports dispersed amongst the people concerning the rebellion there; which not only wounded his majesty in honour, but likewise greatly retarded the reducing that unhappy kingdom, and multiplied the distractions at home, by weakening the mutual confidence between him and his people: out of his pious zeal to the honour of Almighty God, in establishing the true protestant profession in that kingdom, and his princely care for the good of all his dominions, he had firmly resolved to go with all convenient speed into Ireland, to chastise those wicked and detestable rebels, odious to God and all good men; thereby so to settle the peace of that kingdom, and the security of this, that the very name of fears and jealousies might be no more heard of amongst them.

"And he said, as he doubted not but his parliament would cheerfully give all possible assistance to this good work, so he required them, and all his loving subjects, to believe, that he would, upon those considerations, as earnestly pursue that design, not declining any hazard of his person in performing that duty, which he owed to the defence of God's true religion, and

"his distressed subjects, as he undertook it for those only ends; to the sincerity of which profession he called God to witness, with this further assurance, that he would never consent, upon whatsoever pretence, to a toleration of the popish profession there, or the abolition of the laws now in force against popish recusants in that kingdom.

"His majesty further advertised them, that, towards this work, he intended to raise forthwith, by his commission, in the counties near West Chester, a guard for his own person, (when he should come into Ireland,) consisting of two thousand foot, and two hundred horse, which should be armed at West Chester, from his magazine at Hull; at which time, he said, all the officers and soldiers should take the oaths of supremacy and allegiance; the charge of raising and paying whereof, he desired the parliament to add to their former undertakings for that war; which he would not only well accept, but, if their pay should be found too great a burden to his good subjects, he would be willing, by the advice of his parliament, to sell, or pawn, any of his parks, lands, or houses, towards the supplies of the service of Ireland. With the addition of these levies to the former of English, and Scots, agreed upon in parliament, he said, he hoped so to appear in that action, that, by the assistance of Almighty God, that kingdom, in a short time, might be wholly reduced, and restored to peace, and some measure of happiness; whereby he might cheerfully return, to be welcomed home with the affections and blessings of all his good English people.

"Towards this good work, he said, as he had lately made despatches into Scotland, to quicken the levies there for Ulster, so he heartily wished, that his parliament would give all possible expedition to those, which they had resolved for Munster and Connaught; and hoped the encouragement, which the adventurers, of whose interests he would be always very careful, would hereby receive, would raise full sums of money for the doing thereof. He told them, that out of his earnest desire to remove all occasions, which did unhappily multiply misunderstandings between him and his parliament, he had likewise prepared a bill to be offered to them by his attorney concerning the militia; whereby he hoped the peace and safety of the kingdom might be fully secured to the general satisfaction of all men, without violation of his majesty's just rights, or prejudice to the liberty of the subject. If this should be thankfully received, he said, he should be glad of it; if refused, he must call God, and all the world, to judge on whose part the default was; only he required, if the bill should be approved of, that if any corporation should make their lawful rights appear, they might be reserved to them. He said, before he would part from England, he would take all due care to intrust such persons with such authority in his absence, as he should find to be requisite for the peace and safety of the kingdom, and the happy progress of the parliament."

They neither before nor after ever received any message from his majesty, that more discomposed them; and so much the more, because that which gave them most umbrage could not be publicly and

safely avowed by them. For though, to those who had a due reverence to the king's person, and an impatient desire, that all misunderstandings might be composed, they urged, "the hazard and danger to his majesty's person, in such an expedition," and the increase of jealousies and distractions, "that would ensue in this kingdom by his absence;" and to others, as well those who from the barbarity, inhumanity, and unheard of cruelty, exercised by the rebels in Ireland upon the English protestants, (of which they every day received fresh and bleeding evidence,) had contracted a great animosity against the nation, and were persuaded that the work of extirpation was not so difficult as in truth it was; as to the adventurers, who had disbursed great sums of money, and had digested a full assurance of ample recompence, by confiscations and forfeitures; "that by this voyage of the king a peace would be in a short time concluded in that kingdom, to their great disadvantage and damage;" yet the true reasons, which surprised and startled them, were, that hereby the managing the war of Ireland would be taken out of their hands; and so, instead of having a nursery for soldiers of their own, which they might employ as they saw occasion; and a power of raising what money they pleased in this kingdom under that title, which they might dispose, as they found most fit for their affairs; the king would probably in a short time recover one entire kingdom to his obedience, by which he might be able to preserve the peace of the other two. However, working by the several impressions upon the several affections, they found it no difficult thing to persuade, almost an unanimous, aversion from approving the journey; they who usually opposed their advice not enduring to think of staying in England, where the power, at least for a time, would be in them, whose government, they knew, would be terrible, when his majesty should be in Ireland. And then they despatched a magisterial answer to the king, in which they told him:

"That the lords and commons in parliament had duly considered the message, received from his majesty, concerning his purpose of going into Ireland in his own person to prosecute the war there, with the bodies of his English subjects, levied, transported, and maintained at their charge; which he was pleased to propound to them, not as a matter, wherein he desired the advice of his parliament, but as already firmly resolved on, and forthwith to be put in execution, by granting out commissions for the levying of two thousand foot, and two hundred horse, for a guard for his person, when he should come into that kingdom; wherein they said, they could not but, with all reverence and humility to his majesty, observe, that he had declined his great council, the parliament, and varied from the usual course of his royal predecessors; that a business of so great importance concerning the peace and safety of all his subjects, and wherein they have a special interest, by his majesty's promise, and by those great sums, which they had disbursed, and for which they stood engaged, should be concluded, and undertaken, without their advice; whereupon, they said, they held it their duty to declare, that if, at that time, his majesty should go into Ireland, he would very much endanger the safety of his royal person and kingdoms, and of all other states professing the pro-

testant religion in Christendom, and make way to the execution of that cruel and bloody design of the papists, every where to root out and destroy the reformed religion; as the Irish papists had, in a great part, effected in that kingdom; and, in all likelihood, would quickly be attempted in other places, if the consideration of the strength and union of the two nations of England and Scotland did not much hinder and discourage the execution of any such design. And that they might manifest to his majesty the danger and misery, which such a journey and enterprise would produce, they presented to his majesty the reasons of that their humble opinion and advice:

1. "His royal person would be subject, not only to the casualty of war, but to secret practices and conspiracies; especially his majesty continuing his profession to maintain the protestant religion in that kingdom, which the papists were generally bound by their vow to extirpate.

2. "It would exceedingly encourage the rebels; who did generally profess and declare, that his majesty did favour and allow their proceedings, and that this insurrection was undertaken by the warrant of his commission; and it would make good their expectation of great advantage, by his majesty's presence at that time, of so much distraction in this kingdom, whereby they might hope the two houses of parliament would be disabled to supply the war there, especially there appearing less necessity of his majesty's journey at that time, by reason of the manifold successes, which God had given against them.

3. "It would much hinder and impair the means whereby the war was to be supported, and increase the charge of it, and in both these respects make it more insupportable to the subject; and this, they said, they could confidently affirm; because many of the adventurers, who had already subscribed, did, upon the knowledge of his majesty's intention, declare their resolution not to pay in their money; and others, very willing to have subscribed, do now profess the contrary.

4. "His majesty's absence must necessarily very much interrupt the proceedings of parliament; and deprive his subjects of the benefit of those further acts of grace and justice, which they should humbly expect from his majesty for the establishing of a perfect union, and mutual confidence between his majesty and his people, and procuring and confirming the prosperity and happiness of both.

5. "It would exceedingly increase the fears and jealousies of his people; and render their doubts more probable, of some force intended, by some evil councils near his majesty, in opposition of the parliament, and favour of the malignant party of this kingdom.

6. "It would bereave his parliament of that advantage, whereby they were induced to undertake that war, upon his majesty's promise, that it should be managed by their advice; which could not be done, if his majesty, contrary to their counsels, should undertake to order and govern it in his own person.

Upon which, they said, they had resolved, by the full and concurrent agreement of both houses, that they could not, with discharge of their duty, consent to any levies or raising of soldiers to be



"made by his majesty, for that his intended expedition into Ireland; or to the payment of any army, or soldiers there, but such as should be employed and governed according to their advice and direction: and that, if such levies should be made by any commission of his majesty's, not agreed to by both houses of parliament, they should be forced to interpret the same to be raised to the terror of his people, and disturbance of the public peace; and did hold themselves bound, by the laws of the kingdom, to apply the authority of parliament to suppress the same.

"And, they said, they did further most humbly declare, that if his majesty should by ill counsel be persuaded to go, contrary to that advice of his parliament, (which they hoped his majesty would not,) they did not, in that case, hold themselves bound to submit to any commissioners, which his majesty should choose; but did resolve to preserve and govern the kingdom, by the counsel and advice of parliament, for his majesty and his posterity, according to their allegiance, and the law of the land: wherefore they did most humbly pray, and advise his majesty, to desist from that his intended passage into Ireland, and from all preparation of men and arms tending thereunto; and to leave the managing of that war to his parliament, according to his promise made unto them, and his commission granted under his great seal of England, by advice of both houses; in prosecution whereof, by God's blessing, they had already made a prosperous entrance, by many defeats of the rebels, whereby they were much weakened and disheartened; and had no probable means of subsistence, if the proceedings of the two houses were not interrupted by that interruption of his majesty's journey: but they hoped, upon good grounds, that, within a short time, without hazard of his person, and so much dangerous confusion in his kingdoms, which must needs ensue, if he should proceed in that resolution, they should be enabled fully to vindicate his majesty's right, and authority in that kingdom; and punish those horrible, outrageous cruelties, which had been committed in the murdering and spoiling so many of his subjects; and to bring that realm to such a condition, as might be much to the advantage of his majesty and the crown, and the honour of his government, and contentment of his people: for the better and more speedy effecting whereof, they did again renew their humble desires of his return to his parliament; and that he would please to reject all counsels and apprehensions, which might any way derogate from that faithfulness and allegiance, which, in truth and sincerity, they had always borne and professed to his majesty, and should ever make good, to the uttermost, with their lives and fortunes."

This petition (the matter whereof finding a general concurrence, there was the least debate and contradiction upon the manner of expression) being sent to the king to York; and, in the mean time, all preparations being suspended for the necessary relief for Ireland, inasmuch as with the votes (which were presently printed) against the king's journey, there was likewise an order printed to discourage the adventurers from bringing in their money; the which, though it had no approbation from either house, and seemed to be angrily inter-

preted by them, and the printer was ordered to be found out and punished, yet did wholly stop that service; and by the no-inquiry, or punishment of that boldness, appeared to be done by design; his majesty speedily returned this answer:

"That he was so troubled, and astonished to find that unexpected reception and misunderstanding of his message concerning his Irish journey, that (being so much disappointed of the approbation and thanks he looked for to that declaration) he had great cause to doubt, whether it were in his power to say or do any thing, which would not fall within the like interpretation: but he said, as he had, in that message, called God to witness the sincerity of the profession of his only ends for the undertaking that journey; so he must appeal to all his good subjects, and the whole world, whether the reasons alleged against that journey were of weight to satisfy his understanding; or the counsel, presented to dissuade him from it, were full of that duty, as was like to prevail over his affections. For the resolving of so great a business without the advice of his parliament, he said, he must remember, how often, by his messages, he made the same offer, if they should advise him thereunto; to which they never gave him the least answer; but, in their late declaration, told him, that they were not to be satisfied with words: so that he had reason to conceive, they rather avoided, out of regard to his person, to give him counsel to run that hazard, than that they disapproved the inclination. And, he asked them, what greater comfort or security the protestants of Christendom could receive, than by seeing a protestant king venture, and engage his person for the defence of that religion, and the suppression of popery? to which he solemnly protested, in that message, never to grant a toleration, upon what pretence soever, or an abolition of any of the laws there in force against the professors of it. And, he said, when he considered the great calamities, and unheard of cruelties, his poor protestant subjects in that kingdom had undergone for the space of near, or full six months; the growth and increase of the strength of those barbarous rebels; and the evident probability of foreign supplies, if they were not speedily suppressed; the very slow succours hitherto sent them from hence: that the officers of several regiments, who had long time been allowed entertainment for that service, had not raised any supply or succour for that kingdom; that many troops of horse had long lain near Chester untransported; that the lord lieutenant of Ireland, on whom he relied principally for the conduct and managing of affairs there, was still in this kingdom, notwithstanding his majesty's earnestness expressed, that he should repair to his command: and when he considered the many and great scandals raised upon himself by report of the rebels, and not sufficiently discountenanced here, notwithstanding so many professions of his majesty; and had seen a book, lately printed by the order of the house of commons, entitled, A Remonstrance of divers remarkable Passages concerning the Church and Kingdom of Ireland, wherein some examinations were set down, (how improbable or impossible soever,) which might make an impression in the minds of many of his weak subjects: and, lastly, when he had duly



"weighed the dishonour which would perpetually lie upon this kingdom, if full and speedy relief were not despatched thither; his majesty could not think of a better way to discharge his duty to Almighty God, for the defence of the true protestant religion, or to manifest his affection to his three kingdoms, for their preservation, than by engaging his person in that expedition, as many of his royal progenitors had done, even in foreign parts, upon causes of less importance and piety, with great honour to themselves, and advantage to this kingdom. And therefore he expected at least thanks for such his inclination.

"For the danger to his person, he said, he conceived it necessary, and worthy of a king, to adventure his life to preserve his kingdom; neither could it be imagined, that he would sit still, and suffer his kingdoms to be lost, and his good protestant subjects to be massacred, without exposing his own person to the utmost hazard for their relief and preservation; his life, when it was most pleasant, being nothing so precious to him, as it was, and should be, to govern and preserve his people with honour and justice.

"For any encouragement to the rebels, because of the reports they raised, he said, he could not conceive, that the rebels were capable of a greater terror, than by the presence of their lawful king, in the head of an army, to chastise them. Besides, it would be an unspeakable advantage to them, if any report of theirs could hinder him from doing any thing, which were fit for him to do, if such report were not raised: that would quickly teach them, in this jealous age, to prevent, by such reports, any other persons coming against them, whom they had no mind should be employed.

"He told them, he marvelled, that the adventurers, whose advantage was a principal motive (next the reasons before mentioned) to him, should so much mistake his purpose; whose interest he conceived must be much improved by the expedition he hoped, by God's blessing, to use in that service; that being the most probable way for the speedy conquest of the rebels, their lands were sufficiently secured by act of parliament.

"He told them, he thought himself not kindly used, that the addition of so few men to their levies (for a guard to his person in Ireland) should be thought fit for their refusal; and much more, that having used so many cautions in that message, both in the smallness of the number; in his having raised none, until their answer; in their being to be raised only near the place of shipping; in their being there to be armed, and that not till they were ready to be shipped; in the provision, by the oaths, that none of them should be papists, (all which were sufficient to destroy all grounds of jealousy of any force intended by them in opposition to the parliament, or favour to any malignant party,) any suspicion should, notwithstanding, be grounded upon it.

"Neither, he said, could it be understood, that, when he recommended the managing of that war to them, that he intended to exclude himself, or not to be concerned in their counsels, that if he found any expedient, (which, in his conscience and understanding, he thought necessary for that great work,) he might not put it in practice. He told them, he looked upon them as his great

"council, whose advice he always had, and would, with great regard and deliberation, weigh and consider: but he looked upon himself as neither deprived of his understanding, or divested of any right he had, if there were no parliament sitting. He said, he called them together by his own writ and authority (without which they could not have met) to give him faithful counsel about his great affairs; but he resigned not up his own interest and freedom; he never subjected himself to their absolute determination; he had always weighed their counsels, as proceeding from a council intrusted by him; and when he had dissented from them, he had returned them the reasons, which had prevailed with his conscience and understanding, with that candour, which a prince should use towards his subjects; and that affection, which a father could express to his children. What application had been used to rectify his understanding by reasons, or what motives had been given to persuade his affections, he would leave all the world to judge. And then, he said, he must tell them, howsoever a major part might bind them in matter of opinion, he held himself (and he was sure the law and constitution of the kingdom had always held the same) as free to dissent, till his reason [was] convinced for the general good, as if they had delivered no opinion.

"For his journey itself, he told them the circumstances of their petition were such, as he knew not well what answer to return, or whether he were best to give any; that part which pretended to carry reason with it did no way satisfy him; the other, which was rather reprehension and menace, than advice, could not stagger him. His answer therefore was, that he should be very glad to find the work of Ireland so easy as they seemed to think it; which did not so appear by any thing known to him, when he sent his message: and though he would never refuse, or be unwilling, to venture his person for the good and safety of his people, he was not so weary of his life, as to hazard it impertinently; and therefore, since they seemed to have received advertisements of some late and great successes in that kingdom, he would stay some time to see the event of those, and not pursue his resolution till he had given them a second notice: but, if he found the miserable condition of his poor subjects of that kingdom were not speedily relieved, he would, with God's assistance, visit them with succours as his particular credit and interest could supply him with, if they refused to join with him. And he doubted not but the levies he should make (in which he would observe punctually the former, and all other cautions, as might best prevent all fears and jealousies; and to use no power but what was legal) would be so much to the satisfaction of his subjects, as no person would dare presume to resist his commands; and if they should, at their peril [be it]. In the mean time, he hoped his forwardness, so remarkable to that service, should be notorious to all the world; and that all scandals, laid on him in that business, should be clearly wiped away.

"He told them, he had been so careful that his journey into Ireland should not interrupt the proceedings of parliament, nor deprive his subjects of any acts of justice, or further acts of grace, for the real benefit of his people, that he had made a free offer of leaving such power behind,

"as should not only be necessary for the peace and safety of the kingdom, but fully provide for the happy progress of the parliament : and therefore he could not but wonder, since such power had been always left here, by commission, for the government of this kingdom, when his progenitors had been out of the same, during the sitting of parliaments; and since themselves desired that such a power might be left here by his majesty, at his last going into Scotland; what law of the land they had now found to dispense with them from submitting to such authority, legally derived from him, in his absence; and to enable them to govern the kingdom by their own mere authority.

"For his return to London, he said, he had given them so full answers in his late declaration, and answers that he knew not what to add, if they would not provide for his security with them, nor agree to remove to another place, where there might not be the same danger to his majesty. He told them, he expected, that (since he had been so particular in the causes and grounds of his fears) they should have sent him word, that they had published such declarations against future tumults and unlawful assemblies, and taken such courses for the suppressing seditious pamphlets and sermons, that his fears of that kind might be laid aside, before they should press his return.

"To conclude, he told them, he could wish, that they would, with the same strictness and severity, weigh and examine their messages and expressions to him, as they did those they received from him. For he was very confident, that if they examined his rights and privileges, by what his predecessors had enjoyed; and their own addresses, by the usual courses observed by their ancestors; they would find many expressions in that petition, warranted only by their own authority; which indeed he forbore to take notice of, or to give answer to, lest he should be tempted, in a just indignation, to express a greater passion, than he was yet willing to put on. God in his good time, he hoped, would so inform the hearts of all his subjects, that he should recover from the mischief and danger of that distemper; on whose good pleasure, he said, he would wait with all patience and humility."

And from this time the purpose was never resumed of his majesty's personal expedition into Ireland, and so they were freed from that apprehension. The truth is, that counsel for his majesty's journey into Ireland was very suddenly taken, and communicated to very few, without consideration of the objections, that would naturally arise against it; and was rather resolved as a probable stratagem, to compose the two houses to a better temper and sobriety, upon the apprehension of the king's absence from them, and the inconveniences that might thence ensue, than sufficiently considered and digested for execution. For none were more violent against it than they who served the king most faithfully in the houses; who, in the king's absence, and after such a grant of the militia, as was then offered, looked upon themselves as sacrificed to the pride and fury of those, whose inclinations and temper had begot the confusions they complained of. But if it had been so duly weighed and consulted, and men so disposed, that it might have

been executed, and the king [had] taken a fit council and retinue about him, it would at that time have been no hard matter speedily to have reduced Ireland; and, by the reputation and authority of that, the other two kingdoms might have been contained within their proper bounds. But, as it fell out, the overture proved disadvantageous to the king, and gave the other party new cause of triumph, that they had plainly threatened him out of what he pretended to have firmly resolved to do; which disadvantage was improved by the other proposition, that attended it, concerning the militia. For the bill, sent by the king upon that argument, brought the business again into debate; and, though nothing was concluded upon it, the king was a loser by the proposition, though not so much as he feared he should have been, when he saw his journey into Ireland desperate; upon the supposition of which, he had only made that tender.

The bill sent by the king, and preferred to the house of peers, by the attorney general, granted the militia, for one year, to the persons first nominated by the houses in their ordinance to his majesty; and made those persons, in the execution of that trust, subject to the authority of his majesty and the two houses jointly, whilst his majesty was within the kingdom; and, in his absence, of the two houses only. What alterations and amendments they made in it before they returned it again for the royal assent, will best appear by the king's answer, which he sent to them at the time of his refusal to pass it; which was,

"That he had, with great deliberation and patience, weighed and considered (as it concerned him much to weigh the consequences of every law before he passed it) their bill lately sent to him for the settling the militia; and though it had not been usual to give any reason for the refusal to pass any bill, it being absolutely in his power to pass, or not pass, any act sent to him, if he conceived it prejudicial to himself, or inconvenient to his subjects, for whom he was trusted, and must one day give an account; yet, in that business of the militia, which, being misunderstood amongst his good subjects, had been used as an argument, as if he were not vigilant enough for the public safety, and lest he should be thought less constant in his resolutions, and that bill to be the same he had sent to them, he thought fit to give them, and all the world, particular satisfaction, why he could not, ought not, must not pass that bill, being the first public bill he had refused this parliament: and therefore, he told them, he must complain, that having expressed himself so clearly and particularly to them in that point, they should press any thing upon him, which they could not but foresee that he must refuse; except he departed from those resolutions, grounded upon so much reason, he had so earnestly before acquainted them with, and against which they had not given one argument to satisfy his judgment.

"He told them, he was pleased they had declined the unwarrantable course of their ordinance, (to the which, he was confident, his good subjects would never have yielded their consent,) and chosen that only right way of imposing upon the people, which he would have allowed but for the reasons following:

"He said, he had refused to consent to their

" ordinance, as for other things, so for that the power was put into the persons nominated therein by direction of both houses of parliament, excluding his majesty from any power in the disposition or execution of it together with them: he had then advised them, for many reasons, that a bill should be prepared; and after, in his answer of the 26th of March to the petition of both houses, he had told them, if such a bill should be prepared with that due regard to his majesty, and care of his people, in the limitation of the power, and other circumstances, he should recede from nothing he formerly expressed.

" What passed (enough to have discouraged him from being further solicitous in that argument) after his full and gracious answers, he was content to forget. When he resolved [on] his journey into Ireland, so that, by reason of his absence, there might be no want of settling that power; besides complying with their fears, he sent, together with a message of that his purpose, a bill for the settling the power for a year; hoping in that time to return to them, and being sure that, in much less time, they might do the business, for which at first they seemed to desire this; which was, that they might securely consider his message of the 20th of January last. By that bill, which he sent, he consented to those names they proposed in their ordinance, and in the limitation of the power; provided, that himself should not be able to execute any thing but by their advice; and, when he should be out of the kingdom, the sole execution to be in them; with many other things, of so arbitrary and uncircumscribed a power, that he should not have consented to, but with reference to the absence of his own person out of the kingdom; and thought it the more sufferable, in respect the time was but for a year. Whether that bill, they had sent to him to pass, were the same, the world would judge.

" He said, they had, by that bill tendered to his majesty, without taking notice of him, put the power of the whole kingdom, the life and liberties of the subjects of all degrees and qualities, into the hands of particular men, for two years. He asked them, if they could imagine he would trust such an absolute power in the hands of particular persons, which he had refused to commit to both houses of parliament? Nay, if the power itself were not too absolute, too unlimited, to be committed into any private hands? Whether sir John Hotham's high insolence shewed him not, what he might expect from an exorbitant legal power, when he, by a power not warranted by law, durst venture upon a treasonable disobedience? But his majesty would willingly know, and indeed such an account in ordinary civility, he said, he might have expected, why he was, by that act, absolutely excluded from any power, or authority, in the execution of the militia. He said, sure their fears and jealousies were not of such a nature, as were capable of no other remedy, than by leaving him no power in a point of the greatest importance; in which God, and the law, had trusted him solely, and which he had been contented to share with them by his own bill, by putting it, and a greater, into the hands of particular subjects. He asked them, what all Christian princes would think of him after he had passed such a bill?

" How they would value his sovereignty? And yet, he said, sure his reputation with foreign princes was some ground of their security. Nay, he was confident, by that time they had thoroughly considered the possible consequence of that bill, upon themselves, and the rest of his good subjects, they would all give him thanks for not consenting to it; finding their condition, if it should have passed, would not have been so pleasing to them. He told them, he hoped that animadversion would be no breach of their privileges. In that throng of business and distemper of affections, it was possible, second thoughts might present somewhat to their considerations, which escaped them before.

" He remembered them, that he had passed a bill this parliament, at their entreaty, concerning the captives of Algiers, and waved many objections of his own to the contrary, upon information that the business had been many months considered by them; whether it proved suitable to their intentions, or whether they had not, by some private orders, suspended that act of parliament upon view of the mistakes, themselves best knew; as likewise, what other alterations they had made upon other bills, passed this session. He told them, he could not pass over the putting their names out of that bill, whom before they had recommended to him in their ordinance, not thinking fit, it seemed, to trust those who would obey no guide but the law of the land, (he imagined they would not wish he should in his estimation of others follow that their rule,) and the leaving out, by special provision, the present lord mayor of London, as a person in their disfavour; whereas, he said, he must tell them, his demeanour had been such, that the city, and the whole kingdom, was beholding to him for his example.

" To conclude, he said, he did not find himself possessed of such an excess of power, that it was fit to transfer, or consent it should be in other persons, as was directed by that bill; and therefore he should rely upon that royal right and jurisdiction, which God and the law had given him, for the suppressing of rebellion, and resisting foreign invasion; which had preserved the kingdom in the time of all his ancestors, and which he doubted not but he should be able to execute. And, not more for his own honour and right, than for the liberty and safety of his people, he could not consent to pass that bill."

Though no sober man could deny the reasonableness of that answer, and that there was indeed so great a difference between the bill sent by his majesty, and that presented to him from the two houses, that it could not soberly be imagined he would consent to it; yet, it had been better for his majesty, that that overture had never been made; it giving new life, spirit, and hopes to them; and they making the people believe (who understood not the difference, and knew not that the king's pleasure, signified by both houses of parliament, was the pleasure of both houses without the king) that his majesty now refused to consent to what himself had offered and proposed; whilst his own party (for so those began now to be called, who preserved their duty and allegiance entire) was as much troubled to find so sovereign a power of the crown offered to be parted with to

the two houses, as was tendered to them by the king's own bill; and that it was possible for his majesty to recede from his firmest resolves, even in a point that would not naturally admit of the least division or diminution.

The king, being well pleased that he had gone through one of his resolutions, and not much troubled at the anger and trouble it had produced, and finding his court full of persons of quality of the country, who made all expressions of affection and duty, which they thought would be most acceptable to him, he resolved to undertake another enterprise, which was of more importance, and which in truth was the sole motive of his journey into those parts. The great magazine of arms and ammunition, which was left upon the disbanding the army, remained still at Hull, and was a nobler proportion than remained in the Tower of London, or all other his majesty's stores; and there had been formerly a purpose to have secured the same by the earl of Newcastle's presence there, which had been disappointed, as hath been before mentioned, and sir John Hotham sent thither to look to it; who was now there only with one of the companies of the trained bands: and so the king resolved that he would himself make a journey thither, with his own usual train; and being there, that he would stay there, till he had secured the place to him. This was his purpose; which he concealed to that degree, that very few about him knew any thing of it.

As soon as it was known that his majesty meant to reside in York, it was easily suspected, that he had an eye upon the magazine; and therefore they made an order in both houses, "That the magazine should be removed from Hull to the Tower;" and ships were making ready for the transportation; so that his majesty could no longer defer the execution of what he designed. And, being persuaded, by some who believed themselves, that, if he went thither, it would neither be in sir John Hotham's will, or his power, to keep him out of that town; and that, being possessed of so considerable a port, and of the magazine there, (which the houses had ordered to be speedily sent to London,) he should find a better temper towards a modest and dutiful treaty; his majesty took the opportunity of a petition presented to him by the gentlemen of Yorkshire, (who in truth were much troubled at the order for removing the magazine from Hull; and were ready to appear in any thing for his service,) by which "they desired him to cast his eyes and thoughts upon the safety of his own person, and his princely issue, and that whole county; a great means whereof, they said, did consist in the arms and ammunition at Hull, placed there by his princely care and charge; and since, upon general apprehensions of dangers from foreign parts, thought fit to be continued: and they did very earnestly beseech him, that he would take such course, that it might still remain there, for the better securing those, and the rest of the northern parts." Hereupon he resolved to go thither himself; and, the night before, he sent his son the duke of York, who was lately arrived from Richmond, accompanied with the prince elector, thither, with some other persons of honour; who knew no more, than that it was a journey given to the pleasure and curiosity of the duke. Sir John Hotham received them with that duty and civility that became him. The next

morning early, the king took horse from York; and, attended with two or three hundred of his servants, and gentlemen of the country, rode thither; and, when he came within a mile of the town, sent a gentleman to sir John Hotham, "to let him know that the king would that day dine with him;" with which he was strangely surprised, or seemed to be so.

It was then reported, and was afterwards averred by himself to some friends, that he had received the night before advertisement, from a person very near to, and very much trusted by his majesty, of the king's purpose of coming thither, and that there was a resolution of hanging him, or cutting his throat as soon as he was in the town.

The man was of a fearful nature, and perplexed understanding, and could better resolve upon deliberation than on a sudden; and many were of opinion, that if he had been prepared dexterously beforehand, and in confidence, he would have conformed to the king's pleasure; for he was master of a noble fortune in land, and rich in money; of a very ancient family, and well allied; his affections to the government very good; and no man less desired to see the nation involved in a civil war, than he: and, when he accepted this employment from the parliament, he never imagined it would engage him in rebellion; but believed, that the king would find it necessary to comply with the advice of his two houses; and that the preserving that magazine from being possessed by him, would likewise prevent any possible rupture into arms. He was now in great confusion; and calling some of the chief magistrates, and other officers, together to consult, they persuaded him, not to suffer the king to enter into the town. And his majesty coming within an hour after his messenger, found the gates shut, and the bridges drawn, and the walls manned; all things being in a readiness for the reception of an enemy. Sir John Hotham himself from the walls, with several professions of duty, and many expressions of fear, telling his majesty, "that he durst not open the gates, being trusted by the parliament;" the king told him, "that he believed he had no order from the parliament to shut the gates against him, or to keep him out of the town." He replied, "that his train was so great, that if it were admitted, he should not be able to give a good account of the town." Whereupon the king offered "to enter with twenty horse only, and that the rest should stay without." The which the other refusing, the king desired him "to come to him, that he might confer with him, upon his princely word of safety, and liberty to return." And when he excused himself likewise from that, his majesty told him, "that as this act of his was unparalleled, so it would produce some notable effect; that it was not possible for him to sit down by such an indignity, but that he would immediately proclaim him traitor, and proceed against him as such; that this disobedience of his would probably bring many miseries upon the kingdom, and much loss of blood; all which might be prevented, if he performed the duty of a subject; and therefore advised him to think sadly of it, and to prevent the necessary growth of so many calamities, which must lie all upon his conscience." The gentleman, with much distraction in his looks, talked confusedly of "the

"trust he had from the parliament;" then fell on his knees, and wished, "that God would bring confusion upon him, and his, if he were not a loyal and faithful subject to his majesty;" but, in conclusion, plainly denied to suffer his majesty to come into the town. Whereupon, the king caused him immediately to be proclaimed a traitor; which the other received with some expressions of undutifulness and contempt. And so the king, after the duke of York, and prince elector, with their retinue, were come out of the town, where they were kept some hours, was forced to retire that night to Beverly, four miles from that place; and so the next day returned to York, full of trouble and indignation for the affront he had received; which he foresaw would produce a world of mischief.

The king sent an express to the two houses, with a message, declaring what had passed; and, "that sir John Hotham had justified his treason and disloyalty, by pretence of an order and trust from them; which as he could not produce, so, his majesty was confident, they would not own; but would be highly sensible of the scandal he had laid upon them, as well as of his disloyalty to his majesty. And therefore he demanded justice of them against him, according to law." The houses had heard before of the king's going out of York thither, and were in terrible apprehension that he had possessed himself of the town; and that sir John Hotham, (for they were not confident of him, as of a man of their own faith,) by promises or menaces, had given up the place to him; and, with this apprehension, they were exceedingly dejected: but when they heard the truth, and found that Hull was still in their hands, they were equally exalted, magnifying their trusty governor's faith, and fidelity against the king. In the mean time, the gentlemen of the north expressed a marvellous sense and passion on his majesty's behalf; and offered to raise the force of the county to take the town by force. But the king chose, for many reasons, to send again to the houses another message, in which he told them,

"That he was so much concerned in the undutiful affront (an indignity all his good subjects must disdain in his behalf) he had received from sir John Hotham at Hull, that he was impatient till he received justice from them; and was compelled to call again for an answer, being confident, however they had been so careful, though without his consent, to put a garrison into that his town, to secure it and his magazine against any attempt of the papists, that they never intended to dispose and maintain it against him, their sovereign. Therefore he required them forthwith (for the business would admit no delay) that they took some speedy course, that his said town and magazine might be immediately delivered up unto him; and that such severe exemplary proceedings, should be against those persons, who had offered that insupportable affront and injury to him, as by the law was provided; and, till that should be done, he would intend no business whatsoever, other than the business of Ireland. For, he said, if he were brought into a condition so much worse than any of his subjects, that, whilst they all enjoyed their privileges, and might not have their possessions disturbed, or their titles questioned, he only might be spoiled, thrown out of his towns,

"and his goods taken from him, it was time to examine how he had lost those privileges; and to try all possible ways, by the help of God, the law of the land, and the affection of his good subjects, to recover them, and to vindicate himself from those injuries; and, if he should miscarry therein, he should be the first prince of this kingdom that had done so, having no other end but to defend the true protestant religion, the law of the land, and the liberty of the subject; and he desired God so to deal with him, as he continued in those resolutions."

Instead of any answer to his majesty upon these two messages, or sadly considering how this breach might be made up, they immediately publish (together with a declaration of their former jealousies of the papists; of the malignant party; of the lord Digby's letter intercepted; of the earl of Newcastle's being sent thither, upon which they had first sent down a governor, and put a garrison into Hull) several votes and resolutions, by which they declared,

"That sir John Hotham had done nothing but in obedience to the command of both houses of parliament, and that the declaring of him a traitor, being a member of the house of commons, was a high breach of the privilege of parliament, and, being without due process of law, was against the liberty of the subject, and against the law of the land."

And hearing at the same time, that a letter, coming from Hull to them the night after the king's being there, had been intercepted by some of his majesty's servants, they declared, "that all such intercepting of any letters sent to them, was a high breach of the privilege of parliament, which by the laws of the kingdom, and the protestation, they were bound to defend with their lives, and their fortunes, and to bring the violator thereof to condign punishment." Then they ordered, that the sheriffs and justices of the peace of the counties of York and Lincoln, and all others his majesty's officers, should suppress all forces, that should be raised or gathered together in those counties, either to force the town of Hull, or stop the passages to and from the same, or in any other way to disturb the peace of the kingdom. All which votes, orders, and declarations, being printed, and diligently dispersed throughout the kingdom before any address made to his majesty in answer of his messages, and coming to his view, the king published an answer to those votes and declarations, in which he said:

"Since his gracious messages to both houses of parliament, demanding justice for the high and unheard of affront offered unto him, at the gates of Hull, by sir John Hotham, was not thought worthy of an answer; but that, instead thereof, they had thought fit, by their printed votes, to own and avow that unparalleled act to be done in obedience to the command of both houses of parliament, (though at that time he could produce no such command,) and, with other resolutions against his proceedings there, to publish a declaration concerning that business, as an appeal to the people, and as if their intercourse with his majesty, and for his satisfaction, were now to no more purpose; though he knew that course of theirs to be very unagreeable to the modesty and duty of former times, and unwarrantable by any precedents, but what themselves had made; yet,

" he was not unwilling to join issue with them in  
 " that way, and to let all the world know, how  
 " necessary, just, and lawful all his proceedings  
 " had been in that point, and that the defence of  
 " those proceedings was the defence of the law of  
 " the land, of the liberty, and property of the sub-  
 " ject; and that by the same rule of justice, which  
 " was now offered to him, all the private interest  
 " and title of all his good subjects to all their lands  
 " and goods was confounded and destroyed. He  
 " remembered them, that Mr. Pym had said in his  
 " speech against the earl of Strafford, (which was  
 " published by order of the commons' house,) the  
 " law is the safeguard, the custody of all private  
 " interest; your honours, your lives, your liberties,  
 " and estates are all in the keeping of the law;  
 " without this every man hath a like right to any  
 " thing. And he said, he would fain be answered  
 " what title any subject of his kingdom had to his  
 " house or land, that he had not to his town of  
 " Hull? or what right any subject had to his  
 " money, plate, or jewels, that his majesty had not  
 " to his magazine or munition there? If he had  
 " ever such a title, he said he would know when  
 " he lost it? And if that magazine and munition,  
 " bought with his own money, were ever his, when  
 " and how that property went out of him? He  
 " very well knew the great and unlimited power of  
 " a parliament; but he knew as well, that it was  
 " only in that sense, as he was a part of that par-  
 " liament; without him, and against his consent,  
 " the votes of either or both houses together must  
 " not, could not, should not (if he could help it,  
 " for his subjects' sake, as well as his own) forbid  
 " any thing that was enjoined by the law, or en-  
 " join any thing that was forbidden by the law.  
 " But in any such alteration, which might be for  
 " the peace and happiness of the kingdom, he had  
 " not, should not refuse to consent. And he  
 " doubted not, but that all his good subjects would  
 " easily discern, in what a miserable insecurity and  
 " confusion they must necessarily and inevitably be,  
 " if descents might be altered; purchases avoided;  
 " assurances and conveyances cancelled; the sove-  
 " reign legal authority despised, and resisted by  
 " votes, or orders of either or both houses. And  
 " this, he said, he was sure, was his case at Hull;  
 " and as it was his this day, by the same rule, it  
 " might be theirs to-morrow.

" Against any desperate design of the papists, of  
 " which they discoursed so much, he had suffi-  
 " ciently expressed his zeal and intentions; and  
 " should be as forward to adventure his own life  
 " and fortune, to oppose any such designs, as the  
 " meanest subject in his kingdom.

" For the malignant party, he said, as the law  
 " had not, to [his] knowledge, defined their con-  
 " dition, so neither house had presented them to  
 " his majesty, under such a notion, as he might  
 " well understand, whom they intended; and he  
 " should therefore only inquire after and avoid the  
 " malignant party, under the character of persons  
 " disaffected to the peace and government of the  
 " kingdom, and such who, neglecting and despis-  
 " ing the law of the land, had given themselves  
 " other rules to walk by, and so dispensed with  
 " their obedience to authority; of those persons, as  
 " destructive to the commonwealth, he should take  
 " all possible caution.

" Why any letters intercepted from the lord  
 " Digby, wherein he mentioned a retreat to a place

" of safety, should hinder him from visiting his own  
 " fort, and how he had opposed any ways of ac-  
 " commodation with his parliament, and what ways  
 " and overtures had been offered in any way, or  
 " like any desire of such accommodation; or whe-  
 " ther his message of the twentieth of January  
 " last, so often in vain pressed by him, had not  
 " sufficiently expressed his earnest desire of it, he  
 " said, all the world should judge; neither was it  
 " in the power of any persons to incline him to  
 " take arms against his parliament and his good  
 " subjects, and miserably to embroil the kingdom  
 " in civil wars. He had given sufficient evidence  
 " to the world how much his affections abhorred,  
 " and how much his heart did bleed at, the appre-  
 " hension of a civil war. And, he said, God and  
 " the world must judge, if his care and industry  
 " were [not], only to defend and protect the  
 " liberty of the subject, the law of the kingdom,  
 " his own just rights, (part of that law,) and his  
 " honour, much more precious than his life: and  
 " if, in opposition to these, any civil war should  
 " arise, upon whose account the blood, and de-  
 " struction that must follow, must be cast: God,  
 " and his own conscience, told him, that he was  
 " clear.

" For captain Leg's being sent heretofore to  
 " Hull, or for the earl of Newcastle's being sent  
 " thither by his warrant and authority, he said, he  
 " had asked a question long ago, in his answer to  
 " both houses concerning the magazine at Hull,  
 " which, he had cause to think, was not easy to be  
 " answered; why the general rumour of the de-  
 " sign of papists, in the northern parts, should not  
 " be thought sufficient ground for his majesty to  
 " put in such a person of honour, fortune, and un-  
 " blemished reputation, as the earl of Newcastle was  
 " known to be, into a town and fort of his own,  
 " where his own magazine lay; and yet the same  
 " rumour be warrant enough to commit the same  
 " town and fort, without his consent, to the hands  
 " of sir John Hotham, with such a power as was  
 " now too well known, and understood? How his  
 " refusal to have that magazine removed, upon the  
 " petition of both houses, could give any advan-  
 " tage against him, to have it taken from him, and  
 " whether it was a refusal, all men would easily  
 " understand, who read his answer to that peti-  
 " tion; to which it had not been yet thought fit to  
 " make any reply.

" For the condition of those persons, who pre-  
 " sented the petition to him at York (whom that  
 " declaration called, some few ill-affected persons  
 " about the city of York) to continue the magazine  
 " at Hull; he said, he made no doubt, but that  
 " petition would appear to be attested, both in  
 " number and weight, by persons of honour and  
 " integrity, and much more conversant with the  
 " affections of the whole country, than most of  
 " those petitions, which had been received with so  
 " much consent and approbation. And for their  
 " presumption of interposing their advice, his ma-  
 " jesty the more wondered at that exception, when  
 " such encouragement had been given, and thanks  
 " declared to multitudes of mean, unknown people,  
 " apprentices, and porters, who had accompanied  
 " petitions of very strange natures.

" For the manner of his going to Hull, he said,  
 " he had clearly set forth the same, in his message  
 " to both houses of that business; and for any in-  
 " telligence given to sir John Hotham of an inten-

"tion to deprive him of his life, as he knew there was no such intention in him, having given him all possible assurance of the same, at his being there, so he was confident, no such intelligence was given, or if it were, it was by some villain, who had nothing but malice or design to fright him from his due obedience, to warrant him; and sir John Hotham had all the reason to assure himself, that his life would be in much more danger by refusing to admit his king into his own town and fort, than by yielding him that obedience, which he owed by his oaths of allegiance and supremacy, and the protestation, which he knew was due and warrantable, by the laws of the land. For the number of his attendants, though that could be no warrant for such a disobedience in a subject, he said, it was well known (as his majesty had expressed in his message to both houses, to which credit ought to have been given) that he offered to go into the town with twenty horse only, his whole train being unarmed; and whosoever thought that too great an attendance for his majesty and his two sons, had sure an intention to bring him to a meaner retinue, than they would yet avow.

"Here then, he said, was his case, of which all the world should judge: his majesty endeavoured to visit a town and fort of his own, wherein his own magazine lay: a subject, in defiance of him, shuts the gates against him; with armed men resists, denies, and opposes his entrance; tells him, in plain terms, he should not come in. He said, he did not pretend to understand much law, yet, in the point of treason, he had had much learning taught him this parliament; and if the sense of the statute of the 25th year of Edward III. chap. 2. were not very differing from the letter, sir John Hotham's act was no less than plain high treason: and he had been contemptibly stupid, if he had, after all those circumstances of grace and favour then shewed to him, made any scruple to proclaim him traitor. And whether he were so, or no, if he would render himself, his majesty would require no other trial, than that which the law had appointed to every subject, and which he was confident he had not, in the least degree, violated in those proceedings; no more than he had done the privilege of parliament, by endeavouring, in a just way, to challenge his own unquestionable privileges. For that, in such case, the declaring him traitor, being a member of the house of commons, without process of law, should be a breach of privilege of parliament, (of which he was sure none extended to treason, felony, or breach of peace,) against the liberty of the subject, or against the law of the land, he must have other reasons than bare votes. He said, he would know if sir John Hotham had, with the forces by which he kept him out of his town of Hull, pursued him to the gates of York, which he might as legally have done, whether his majesty must have staid from declaring him traitor till process of law might have issued against him? Would fears and jealousies dispense with necessary and real forms? And must his majesty, when actual war is levied upon him, observe forms which the law itself doth not enjoin? The case, he said, was truly stated, let all the world judge (unless the mere sitting of a parliament did suspend all laws, and

"his majesty was the only person in England against whom treason could not be committed) where the fault was; and whatsoever course he should be driven to for the vindication of that his privilege, and for the recovery and maintenance of his known undoubted rights, he doth promise, in the presence of Almighty God, and as he hopes for his blessing in his success, that he would, to the utmost of his powers, defend and maintain the true protestant profession, the law of the land, the liberty of the subject, and the just privilege and freedom of parliament.

"For the order of assistance given to the committee of both houses, concerning their going to Hull, he said, he should say no more, but that those persons, named in that order, he presumed, would give no commands, or his good subjects obey other, than what were warranted by the law, (how large the directions are, or the instructions might be,) for to that rule he should apply his own actions, and by it require an account from other men; and that all his good subjects might the better know their duty in matters of this nature, he wished them carefully to peruse the statute of the eleventh year of king Henry VII. ch. 1. He said, he would conclude with Mr. Pym's own words: If the prerogative of the king overwhelm the liberty of the people, it will be turned to tyranny; if liberty undermine the prerogative, it would grow into anarchy."

Besides their declaration, votes, and orders in the justification of sir John Hotham, for his better encouragement, and for a ground of his son's residence at Hull, in whom they had in truth a firmer confidence than in the father, they ordered, "That if, by any force or accident, sir John Hotham should lose his life, or otherwise die in that service, that his son should succeed him in the government;" and having thus declared themselves, they thought fit at last to send some particular answer to the king upon that business; which they were the rather inclined to do, that under that pretence they might send down a committee of their own to reside at York: whereby they might receive constant animadversions of what happened, and what was designed, and their friends and dependents in that large, populous, and rich county, be the better confirmed in their affections and devotions to them; and, to that purpose, they sent down the lord Howard of Escrick, the lord Fairfax, sir Hugh Cholmely, (a fast friend to sir John Hotham,) sir Philip Stapleton, who had likewise married Hotham's daughter, and sir Harry Cholmely, who presented their answer in writing to his majesty; the which, being of a mould unusual, and a dialect higher and rougher than even themselves had yet used, I have thought fit to insert in the same words it was delivered; thus:

*The most humble answer of the lords and commons in parliament to two messages from your sacred majesty concerning sir John Hotham's refusal to give your majesty entrance into the town of Hull.*

"Your majesty may be pleased to understand, that we, your great council, finding manifold evidences of the wicked counsels and practices of some in near trust and authority about you, to put the kingdom into a combustion, by drawing your majesty into places of strength, remote from



“ your parliament, and by exciting your people to commotions, under pretence of serving your majesty against your parliament, lest this malignant party, by the advantage of the town and magazine of Hull, should be enabled to go through with their mischievous intentions, did, in discharge of the great trust that lies upon us, and by that power which in cases of this nature resides in us, command the town of Hull to be secured by a garrison of the adjoining trained band, under the government of sir John Hotham; requiring him to keep the same for the service of your majesty and the kingdom: wherein we have done nothing contrary to your royal sovereignty in that town, or legal propriety in the magazine.

“ Upon consideration of sir John Hotham's proceeding at your majesty's being there, we have upon very good grounds adjudged, that he could not discharge the trust, upon which, nor make good the end, for which he was placed in the guard of that town and magazine, if he had let in your majesty with such counsellors and company as were then about you.

“ Wherefore, upon full resolution of both houses, we have declared sir John Hotham to be clear from that odious crime of treason; and have avowed, that he hath therein done nothing but in obedience to the command of both houses of parliament; assuring ourselves, that, upon mature deliberation, your majesty will not interpret his obedience to such authority to be an affront to your majesty, or to be of that nature, as to require any justice to be done upon him, or satisfaction to be made to your majesty: but that you will see just cause of joining with your parliament, in preserving and securing the peace of the kingdom; suppressing this wicked and malignant party; who, by false colours, and pretensions of maintaining your majesty's prerogative against the parliament, (wherein they fully agree with the rebels of Ireland,) have been the causes of all our distempers and dangers.

“ For prevention whereof we know no better remedy, than settling the militia of the kingdom, according to the bill, which we have sent your majesty, without any intention of deserting, or declining the validity, or observance of that ordinance, which passed both houses, upon your majesty's former refusal: but we still hold that ordinance to be effectual by the laws of this kingdom. And we shall be exceeding glad, if your majesty, by approving these our just, dutiful, and necessary proceedings, shall be pleased to entertain such counsel, as we assure ourselves, by God's blessing, will prove very advantageous for the honour and greatness of your majesty; the safety and peace of your people; amongst which we know none more likely to produce such good effects, than a declaration from your majesty of your purpose to lay aside all thoughts of going into Ireland, and to make a speedy return into these parts, to be near your parliament. Which, as it is our most humble desire, and earnest petition, so shall it be seconded with our most dutiful care for the safety of your royal person, and constant prayers, that it may prove honourable and successful, in the happiness of your majesty, and all your kingdoms.”

To this answer, with all formality delivered to his majesty by the committee, the king returned a quick reply:

“ That he had been in good hope, that the reason, why they had so long deferred their answer to his messages concerning Hull, had been; that they might the better have given him satisfaction therein, which now added the more astonishment, finding their answer, after so long advisement, to be of that nature, which could not but rather increase than diminish the present distractions, if constantly adhered to by the parliament. He asked them, whether it was not too much, that his town of Hull had a garrison put into it, to the great charge of the country, and inconvenience to the poor inhabitants, without his consent and approbation, under colour at that time of foreign invasion, and apprehensions of the popish party; but that now the reasons thereof should be enlarged with a scandal to his majesty, and his faithful servants, only to bring in the more specious pretext for the avowing sir John Hotham's insolence and treason?

“ He said, he had often heard of the great trust, that, by the law of God and man, was committed to the king for the defence and safety of his people; but as yet he never understood, what trust or power was committed to either or both houses of parliament, without the king; they being summoned to counsel and advise the king. But by what law or authority they possess themselves of his majesty's proper right and inheritance, he was confident, that as they had not, so they could not shew. He told them, that he had not hitherto given the least interruption to public justice; but they, rather than suffer one of their members to come so much as to a legal trial for the highest crime, would make use of an order of parliament to countenance treason, by declaring him free from that guilt, which all former ages never accounted other; and that without so much as inquiring the opinion of the judges; for he was confident, they would have mentioned their opinion, if they had asked it.

“ Therefore he expected, that upon further and better consideration of the great and necessary consequence of the business of Hull, and seriously weighing, how much it did concern the peace and quiet of the kingdom, they would, without further instance from his majesty, give him full and speedy justice against sir John Hotham. And he said, he would leave all his good people to think, what hope of justice there was left for them, when they refused, or delayed, to give their own sovereign satisfaction. And, as he had already said, till that should be done, he would intend no business whatsoever, other than that of Ireland.

“ And he said, he likewise expected that they would not put the militia in execution, until they could shew him by what law they had authority to do the same, without his consent; or if they did, he was confident, that he should find much more obedience according to law, than they would do against law. And he should esteem all those, who should obey them therein, to be disturbers of the peace of the kingdom; and would, in due season, call them to a legal account for the same.

“ Concerning his return, he told them, he never heard that the slandering of a king's government, and his faithful servants, the refusing of him justice, and in a case of treason, and the seeking to take away his undoubted and legal authority,



"under the pretence of putting the kingdom into a posture of defence, were arguments to induce a king to come near, or hearken to his parliament."

The king despatched this answer the sooner, that the country might be freed from the impression, the presence and activity of the committee made in them: but when he delivered it to them, and required them to make all convenient haste with it to the houses, they told him, "they would send it by an express, but that themselves were required and appointed to reside still at York." The king told them, "that he liked not to have such supervisors near him, and wished them to be very careful in their carriage; that the country was visibly then very well affected; and if he found any declension, he well knew to whom to impute it; and should be compelled to proceed in another manner against them, than, with reference to their persons," (for they were all then reputed moderate men, and had not been thought disaffected to the government of the church or state,) "he should be willing to do." They answered with a sullen confidence, "that they should demean themselves according to their instructions; and would perform the trust reposed in them by the two houses of parliament." Yet such was the ticklishness of the king's condition, that, though it was most evident that their coming, and staying there, was to pervert and corrupt the loyalty and affections of those parts, and to infuse into them inclinations contrary to their allegiance, it was not thought counsellable at that time, either to commit them to prison, or to expel them from that city, or to inhibit them the freedom of his own court and presence; and so they continued for the space of above a month, in York, even in defiance of the king.

The militia was the argument, which they found made deepest impression in the people, being totally ignorant what it was, or what the consequence of it might be; and so believing whatsoever they told them concerning it. And therefore they resolved to drive that nail home; and though, for want of their imminent danger, and during the time of the king's treaty, and overture of a bill, they had forbore the execution of their ordinance; yet the frequent musters of volunteers without order, almost in all countries, by the bare authority of their votes, gave them sufficient evidence how open the people were to their commands; at least, how unprepared authority was to resist and oppose them: and therefore, after the king had displaced their favourites, and refused to pass the bill for the militia, and sir John Hotham had refused to let the king come into the town of Hull, and they had justified him for so doing, they prepared a declaration concerning the whole state of the militia, as the resolution of the lords and commons upon that matter; in which they said,

"That holding it necessary for the peace and safety of the kingdom, to settle the militia thereof, they had, for that purpose, prepared an ordinance of parliament, and with all humility had presented the same to his majesty for his royal assent. Who, notwithstanding the faithful advice of his parliament, and the several reasons offered by them, of the necessity thereof for the securing of his majesty's person, and the peace and safety of his people, did refuse to give his consent; and thereupon they were necessitated, in discharge of

"the trust reposed in them, as the representative body of the kingdom, to make an ordinance, by the authority of both houses, to settle the militia, warranted thereunto by the fundamental laws of the land: that his majesty, taking notice thereof, did, by several messages, invite them to settle the same by act of parliament; affirming in his message sent in answer to the petition of both houses, presented to his majesty at York, March 26, that he always thought it necessary the same should be settled, and that he never denied the thing, only denied the way; and for the matter of it, took exceptions only to the preface, as a thing not standing with his honour to consent to; and that himself was excluded in the execution, and for a time unlimited: whereupon the lords and commons, being desirous to give his majesty all satisfaction that might be, even to the least tittle of form and circumstances, and when his majesty had pleased to offer them a bill ready drawn, had, for no other cause, than to manifest their hearty affection to comply with his majesty's desires, and obtain his consent, entertained the same, and in the mean time no way declining their ordinance; and, to express their earnest zeal to correspond with his majesty's desire, (in all things that might consist with the peace and safety of the kingdom, and the trust reposed in them,) did pass that bill, and therein omitted the preamble inserted before the ordinance; limited the time to less than two years; and confined the authority of the lieutenants to these three particulars; namely, rebellion, insurrection, and foreign invasion; and returned the same to his majesty for his royal assent: but all these expressions of affection and loyalty, all those desires and earnest endeavours to comply with his majesty, had, to their great grief and sorrow, produced no better effects than an absolute denial, even of that which his majesty, by his former messages, as they conceived, had promised: the advice of evil and wicked counsels receiving still more credit with him, than that of his great council of parliament, in a matter of so high importance, that the safety of his kingdom, and peace of his people, depended upon it.

"But now, what must be the exceptions to that bill? Not any sure that [were] to the ordinance; for a care had been taken to give satisfaction in all those particulars. Then the exception was, because that the disposing and execution thereof was referred to both houses of parliament, and his majesty excluded; and now that, by the bill, the power and execution was ascertained, and reduced to particulars, and the law of the realm made the rule thereof, his majesty would not trust the persons. The power was too great, too unlimited, to trust them with. But what was that power? Was it any other, but, in express terms, to suppress rebellion, insurrection, and foreign invasion? And who were those persons? Were not they such as were nominated by the great council of the kingdom, and assented to by his majesty? And was it too great a power, to trust those persons with the suppression of rebellion, insurrection, and foreign invasion? Surely, they said, the most wicked of them who advised his majesty to that answer, could not suggest, but that it was necessary for the safety of his majesty's royal person, and the peace of the kingdom, such a power should be put in some

"hands; and there was no pretence for exception to the persons. They said, his majesty had, for the space of above fifteen years together, not thought a power, far exceeding that, to be too great to intrust particular persons with, to whose will the lives and liberties of his people, by martial laws, were made subject; for such was the power given to lord lieutenants, and deputy lieutenants, in every county of this kingdom, and that without the consent of the people, or authority of law. But now in case of extreme necessity, upon the advice of both houses of parliament, for no longer space than two years, a lesser power, and that for the safety of king and people, was thought too great to trust particular persons with, though named by both houses of parliament, and approved by his majesty himself: and surely, if there were a necessity to settle the militia, (which his majesty was pleased to confess,) the persons could not be intrusted with less power than that, to have it effectual. And the precedents of former ages, when there happened a necessity to raise such a power, never straitened that power to a narrower compass; witness the commissions of array in several kings' reigns, and often issued out by the consent and authority of parliament.

"The lords and commons therefore, intrusted with the safety of the kingdom, and peace of the people, (which, they called God to witness, was their only aim,) finding themselves denied those their so necessary and just demands, and that they could never be discharged before God or man, if they should suffer the safety of the kingdom, and peace of the people, to be exposed to the malice of the malignant party at home, or the fury of enemies from abroad: and knowing no other way to encounter the imminent and approaching danger, but by putting the people into a fit posture of defence, did resolve to put their said ordinance in present execution; and did require all persons in authority, by virtue of the said ordinance, forthwith to put the same in execution, and all others to obey it, according to the fundamental laws of the kingdom in such cases, as they tendered the upholding of the true protestant religion, the safety of his majesty's person, and his royal posterity, the peace of the kingdom, and the being of this commonwealth." This declaration (being in answer to a message from his majesty) was printed, and, with the usual care and dexterity, dispersed throughout the kingdom, without so much as sending it to the king; and, thereupon, warrants and directions issued into all parts, for the exercising the militia.

This being the first declaration they had in plain terms published against the king, without ever communicating it, or presenting it to him, as they had done all the rest, his majesty was the more troubled how to take notice of it; but conceiving it necessary to apply some antidote to this poison, the violent operation whereof he had reason to apprehend, he published a declaration by way of answer to that declaration, in which he said,

"That he very well understood, how much it was below the high and royal dignity (wherein God had placed him) to take notice of, much more to trouble himself with answering, those many scandalous, seditious pamphlets, and print-

"ed papers, which were scattered, with such great license, throughout the kingdom, (notwithstanding his majesty's earnest desire, so often in vain pressed, for a reformation,) though he found it evident, that the minds of many of his weak subjects had been, and still were, poisoned by those means; and that so general a terror had possessed the minds and hearts of all men, that whilst the preesses swarmed [with], and every day produced, new tracts against the established government of the church and state, most men wanted the courage, or the conscience, to write, or the opportunity and encouragement to publish, such composed, sober animadversions, as might either preserve the minds of his good subjects from such infection, or restore and recover them, when they were so infected: but, his majesty said, he was contented to let himself fall to any office, that might undeceive his people, and to take more pains that way by his own pen, than ever king had done, when he found any thing that seemed to carry the reputation and authority of either or both houses of parliament, and would not have the same refuted, or disputed by vulgar and common pens, till he should be thoroughly informed whether those acts had in truth that countenance and warrant they pretend: which regard of his, his majesty doubted not but, in time, would recover that due reverence (the absence whereof he had too much reason to complain [of]) to his person and his messages, which in all ages had been paid, and, no doubt, was due to the crown of England.

"He said, he had therefore taken notice of a printed paper, entitled, a Declaration of both Houses, in answer to his last message concerning the militia, published by command; the which he was unwilling to believe (both for the matter of it, the expressions in it, and the manner of publishing it) could result from the consent of both houses; neither did his majesty know by what lawful command, such uncomely, irreverent mention of him could be published to the world: and, though declarations of that kind had of late, with too much boldness, broken in upon his majesty and the whole kingdom, when one or both houses had thought fit to communicate their counsels and resolutions to the people; yet, he said, he was unwilling to believe, that such a declaration as that could be published in answer to his message, without vouchsafing at least to send it to his majesty as their answer: their business, for which they were met by his writ and authority, being to counsel him for the good of his people, not to write against him to his people; nor had any consent of his majesty for their long continuing together enabled them to do any thing, but what they were first summoned by his writ to do. At least he would believe, though misunderstanding and jealousy (the justice of God, he said, would overtake the fomenters of that jealousy, and the promoters and contrivers of that misunderstanding) might produce, to say no worse, those very untoward expressions, that if those houses had contrived that declaration as an answer to his message, they would have vouchsafed some answer to the questions proposed in his, which, he professed, did, and must evidently prevail over his understanding; and, in their wisdom and gravity, they would

"have been sure to have stated the matters of fact, as (at least to ordinary understandings) might be unquestionable; neither of which was done by that declaration.

"His majesty had desired to know, why he was by that act absolutely excluded from any power or authority in the execution of the militia: and, he said, he must appeal to all the world, whether such an attempt were not a greater and juster ground for fear and jealousy in him, than any one that was avowed for those destructive fears and jealousies which were so publicly owned, almost, to the ruin of the kingdom. But his majesty had been told, that he must not be jealous of his great council of both houses of parliament. He said, he was not, no more than they were of his majesty, their king; and hitherto they had not avowed any jealousy of, or disaffection to, his person; but imputed all to his evil counsellors, to a malignant party, that was not of their minds; so his majesty did (and, he said, he did it from his soul) profess no jealousy of his parliament, but of some turbulent, seditious, and ambitious natures; which, being not so clearly discerned, might have an influence even upon the actions of both houses: and if that declaration had passed by that consent, (which he was not willing to believe,) he said, it was not impossible, but that the apprehension of such tumults, which had driven his majesty from his city of London, for the safety of his person, might make such an impression upon other men, not able to remove from the danger, to make them consent, or not to own a dissent, in matters not agreeable to their conscience or understanding.

"He said, he had mentioned, in that his answer, his dislike of putting their names out of the bill, whom before they recommended to his majesty, in their pretended ordinance, and the leaving out, by special provision, the present lord mayor of London: to all which the declaration afforded no answer; and therefore he could not suppose it was intended for an answer to that his message, which whosoever looked upon, would find to be in no degree answered by that declaration; but it informed all his majesty's subjects, after the mention with what humility the ordinance was prepared, and presented to his majesty, (a matter very evident in the petitions, and messages concerning it,) and his refusal to give his consent, notwithstanding the several reasons offered, of the necessity thereof for the securing of his person, and the peace and safety of his people, (whether any such reasons were given, the weight of them, and whether they were not clearly and candidly answered by his majesty, the world would easily judge,) that they were at last necessitated to make an ordinance by authority of both houses, to settle the militia, warranted thereunto by the fundamental laws of the land. But, his majesty said, if that declaration had indeed intended to have answered him, it would have told his good subjects what those fundamental laws of the land were, and where to be found; and would, at least, have mentioned one ordinance, from the first beginning of parliaments to this present parliament, which endeavoured to impose any thing upon the subject without the king's consent; for of such, he said, all the inquiry he could make could never produce him one instance. And if there were such a secret of

"the law, which had lain hid from the beginning of the world to that time, and now was discovered to take away the just, legal power of the king, he wished there were not some other secret (to be discovered when they pleased) for the ruin and destruction of the liberty of the subject. For, he said, there was no doubt if the votes of both houses had any such authority to make a new law, it had the same authority to repeal the old; and then, what would become of the long established rights of the king and subject, and particularly of Magna Charta, would be easily discerned by the most ordinary understanding.

"He said, it was true, that he had (out of tenderness of the constitution of the kingdom, and care of the law, which he was bound to defend, and being most assured of the unjustifiableness of the pretended ordinance) invited, and desired both houses of parliament to settle whatsoever should be fit of that nature by act of parliament. But was he therefore obliged to pass whatsoever should be brought to him of that kind? He did say in his answer to the petition of both houses, presented to him at York the 26th of March last, (and he had said the same in other messages before,) that he always thought it necessary that the business of the militia should be settled, and that he never denied the thing, only denied the way; and he said the same still; and that since the many disputes and votes, upon lords lieutenants and their commissions, (which had not been begun by his majesty, nor his father,) had so discountenanced that authority, which for many years together was looked upon with reverence and obedience by the people, his majesty did think it very necessary, that some wholesome law should be provided for that business; but he had declared in his answer to the pretended ordinance, that he expected, that that necessary power should be first invested in his majesty, before he consented to transfer it to other men; neither could it ever be imagined that he would consent that a greater power should be in the hands of a subject, than he was thought worthy to be trusted with himself. And if it should not be thought fit to make a new act or declaration in the point of the militia, he doubted not but he should be able to grant such commissions as should very legally enable those he trusted, to do all offices for the peace and quiet of the kingdom, if any disturbance should happen.

"But it was said, he had been pleased to offer them a bill ready drawn, and that they, to express their earnest zeal to correspond with his desire, did pass that bill; and yet all that expression of affection and loyalty, all that earnest desire of theirs to comply with his majesty, produced no better effect than an absolute denial, even of what by his former messages his majesty had promised; and so that declaration, he said, proceeded, under the pretence of mentioning evil and wicked councils, to censure and reproach his majesty in a dialect, that, he was confident, his good subjects would read, on his behalf, with much indignation. But, his majesty said, sure if that declaration had passed the examination of both houses of parliament, they would never have affirmed, that the bill he had refused to pass was the same he had sent to them, or have thought that his message, wherein the difference and con-

"trariety between the two bills was so particularly set down, would be answered with the bare averring them to be one and the same bill: nor would they have declared, when his exceptions to the ordinance, and the bill, were so notoriously known to all, that care being taken to give satisfaction in all the particulars he had excepted against in the ordinance, he had found new exceptions to the bill; and yet that very declaration confessed, that his exception to the ordinance was, that, in the disposing and execution thereof, his majesty was excluded: and was not that an express reason, in his answer, for his refusal of the bill; which that declaration would needs confute?"

"But the power was no other than to suppress rebellion, insurrection, and foreign invasion; and the persons trusted, no other than such as were nominated by the great council of the kingdom, and assented to by his majesty: and they asked, if that were too great a power to trust those persons with? Indeed, his majesty said, whilst so great liberty was used in voting, and declaring men to be enemies to the commonwealth, (a phrase his majesty scarce understood,) and in censuring men for their service, and attendance upon his majesty's person, and in his lawful commands, great heed must be taken into what hands he committed such a power to suppress insurrection and rebellion; and if insurrection and rebellion had found other definitions than what the law had given, his majesty must be sure, that no lawful power should justify those definitions: and if there were learning found out to make sir John Hotham's taking arms against him, and keeping his majesty's town and fort from him, to be no treason or rebellion, he knew not whether a new discovery might not find it rebellion in his majesty to defend himself from such arms, and to endeavour to recover what was so taken from him; and therefore, he said, it concerned him, till the known laws of the land were allowed to be judge between them, to take heed into what hands he committed such power.

"Besides, he asked, whether it could be thought, that because he was willing to trust certain persons, that he was obliged to trust them in whatsoever they were willing to be trusted? He said, no private hands were fit for such a trust; neither had he departed from any thing, in the least degree, he had offered or promised before; though he might with as much reason have withdrawn his trust from some persons, whom before he had accepted, as they had done from others, whom they had recommended. For the power which he was charged to have committed to particular persons, for the space of fifteen years, by his commissions of lieutenancy, it was notoriously known, that it was not a power created by his majesty, but continued very many years, and in the most happy times this kingdom had enjoyed, even those of his renowned predecessors, queen Elizabeth, and his father of happy memory; and whatever authority had been granted by those commissions, which had been kept in the old forms, the same was determinable at his majesty's pleasure; and he knew not, that they produced any of those calamities, which might give his good subjects cause to be so weary of them, as to run the hazard of so much mischief, as that

"bill, which he had refused, might possibly have produced.

"For the precedents of former ages in the commissions of array, his majesty doubted not, but that when any such had issued out, that the king's consent was always obtained, and the commissions determinable at his pleasure; and then what the extent of power was, would be nothing applicable to that case of the ordinance.

"But whether that declaration had refuted his majesty's reasons for his refusal to pass the bill, or no, it resolved, and required all persons in authority thereby to put the ordinance in present execution; and all others to obey it according to the fundamental laws of the land. But, his majesty said, he, whom God had trusted to maintain and defend those fundamental laws, which, he hoped, God would bless to secure him, did declare, that there was no legal power in either, or both houses, upon any pretence whatsoever, without his majesty's consent, to command any part of the militia of the kingdom; nor had the like ever been commanded by either, or both houses, since the first foundation of the laws of the land; and that the execution of, or the obedience to, that pretended ordinance, was against the fundamental laws of the land, against the liberty of the subject, and the right of parliaments, and a high crime in any that should execute the same: and his majesty did therefore charge and command all his loving subjects, of what degree or quality soever, upon their allegiance, and as they tendered the peace of the kingdom, from thenceforth not to muster, levy, or array, or summon, or warn any of the trained bands to rise, muster, or march, by virtue, or under colour, of that pretended ordinance: and to that declaration and command of his majesty's, he said, he expected and required a full submission and obedience from all his loving subjects, upon their allegiance, as they would answer the contrary at their perils, and as they tendered the upholding of the true protestant religion, the safety of his person, and his royal posterity, the peace, and being of the kingdom."

Notwithstanding these sharp declarations, (infallible symptoms of sharper actions,) which were with equal diligence dispersed by either side amongst the people, save that the agents for the parliament took as much care to suppress the king's, as to publish their own, whereas the king's desire was that they might be both impartially read and examined, and to that purpose always caused those from the parliament to be printed with his own, they had the power and skill to persuade men, who, but by that persuasion, could not have been seduced, and without seducing of whom they could have made a very sorry progress in mischief, "that all would be well; that they were well assured that the king would, in the end, yield to what they desired; at least, that they should prevail for a good part, if not for all, and that there should be no war:" though themselves well knew, that the fire was too much kindled to be extinguished without a flame, and made preparations accordingly. For the raising and procuring of money (besides the vast sums collected and contributed for Ireland, which they disbursed very leisurely, the supplies for that kingdom, notwithstanding the importunity and com-

plaint from thence, being not despatched thither, both in quantity and quality, with that expedition as was pretended) they sent out very strict warrants for the gathering all those sums of money, which had been granted by any bills of subsidy, or poll-bill; in the collection of all which there had been great negligence, probably that they might have it the more at their own disposal in their need; by which they now recovered great sums into their hands. For the raising of men, (though it was not yet time for them to avow the raising an army,) besides the disposing the whole kingdom to subject themselves to their ordinance of the militia, and, by that, listing in all places companies of volunteers, who would be ready when they [were] called, they made more haste than they had done in the levies of men, both horse and foot, for the relief of Ireland, under officers chosen or approved by themselves; and proposed the raising an army apart, of six or eight thousand, under the command of the lord Wharton, (a man very fast to them,) for Munster, under the style of the adventurers' army, and to have no dependence upon, nor be subject to, the lord lieutenant of Ireland, but only to receive orders from the two houses, and from a committee to be appointed by them, which should be always with that army: but the king, easily discerning the consequence of that design, refused to grant such a commission as they desired; so that they were forced to be content, only with the advantage of new exclamations against the king, "for hindering the supplies for Ireland," upon the occasion of his denial of that unreasonable commission, and to proceed in their levies the ordinary way; which they did with great expedition. To confirm and encourage the factious and schismatical party of the kingdom, which thought the pace towards the reformation was not brisk and furious enough, and was with great difficulty contained in so slow a march, they had, a little before, published a declaration:

"That they intended a due and necessary reformation of the government and liturgy of the church, and to take away nothing in the one or the other, but what should be evil, and justly offensive, or at least unnecessary, and burdensome: and, for the better effecting thereof, speedily to have consultation with godly and learned divines: and, because that would never of itself attain the end sought therein, they would therefore use their utmost endeavours to establish learned and preaching ministers, with a good and sufficient maintenance throughout the whole kingdom; wherein many dark corners were miserably destitute of the means of salvation, and many poor ministers wanted necessary provision."

This declaration, printed, and appointed to be published by the sheriffs in their several counties, in all the market-towns within the kingdom of England and dominion of Wales, was not more intended to the hearkening of those who were impatient for a reformation, (who in truth had so implicit a faith in their leaders, that they expected another manner of reformation than was publicly promised,) than to the lulling those asleep, who began to be awake with the apprehension of that confusion, they apprehended from the practice and license, they saw practised against the received government, and doctrine of the church; and to

be persuaded, that it was time to oppose that current. And in this project they were not disappointed: for though this warily worded declaration was evidence enough to wise men, what they intended, and logically comprehended, an alteration as great as hath been since attempted and made; yet to lazy and quiet men, who could not discern consequences, and were not willing to antedate their miseries, by suspecting worse was to come than they felt, or saw in their view, their fears were much abated, and the intentions of the parliament seemed not so bad as they had been told by some that they were: and as this very declaration of a due reformation to be made of the government of the church, and the liturgy, would, a year before, have given great umbrage and scandal to the people, when, generally, there was a due submission to the government, and a singular reverence of the liturgy of the church of England; so now, when there was a general fear and apprehension inculcated into them, of a purpose utterly to subvert the government, and utterly to abolish the liturgy, they thought the taking away nothing in the one or the other, but what should be evil, and justly offensive, or, at least, unnecessary and burdensome, was an easy composition; and so, by degrees, they suffered themselves to be still prevailed on towards ends they extremely abhorred; and what at first seemed profane and impious to them, in a little time appeared only inconvenient; and what, in the beginning, they thought matter of conscience and religion, shortly after they looked upon as somewhat rather to be wished than positively insisted on; and consequently not to be laid in the balance with the public peace, which they would imagine to be endangered by opposing the sense that then prevailed; and so, by undervaluing many particulars, (which they truly esteemed,) as rather to be consented to, than that the general should suffer, they brought, or suffered the public to be brought to all the sufferings it since underwent.

And now they shewed what consultation they meant to have with godly and learned divines, and what reformation they intended, by appointing the knights and burgesses to bring in the names of such divines for the several counties, as they thought fit to constitute an assembly for the framing a new model for the government of the church, which was done accordingly; those who were true sons of the church, not so much as endeavouring the nomination of sober and learned men, abhorring such a reformation, as begun with the invasion and suppression of the church's rights in calling a synod, as well known as *Magna Charta*: and if any well affected member, not enough considering the scandal and the consequence of that violation, did name an orthodox and well reputed divine, to assist in that assembly, it was argument enough against him, that he was nominated by a person in whom they had no confidence; and they only had reputation enough to commend to this consultation, who were known to desire the utter demolishing of the whole fabric of the church: so that of about one hundred and twenty, of which that assembly was to consist, (though, by the recommendation of two or three members of the commons, whom they were not willing to displease, and by the authority of the lords, who added a small number to those named by the house of commons, a few very reverend and worthy men were inserted; yet of the whole num-

ber) they were not above twenty, who were not declared and avowed enemies to the doctrine or discipline of the church of England; many of them infamous in their lives and conversations; and most of them of very mean parts in learning, if not of scandalous ignorance; and of no other reputation, than of malice to the church of England; so that that convention hath not since produced any thing, that might not then reasonably have been expected from it.

But that which gave greatest power and strength to their growing faction, was the severity they used against all those, of what quality or degree soever, who opposed their counsels and proceedings. If any lord, who had any place of honour or trust from the king, concurred not with them, they made an inquisition into the whole passages of his life; and if they could find no fault, or no folly (for any levity, or indiscretion, served for a charge) to reproach him with, it was enough, "that they could not confide in him:" so they threatened the earl of Portland, who with extraordinary vivacity crossed their consultations, "that they would remove him from his charge and government of the Isle of Wight," (which, at last, they did *de facto*, by committing him to prison, without so much as assigning a cause,) and to that purpose objected all the acts of good fellowship; all the waste of powder, and all the waste of wine, in the drinking of healths; and other acts of jollity, whenever he had been at his government, from the first hour of his entering upon it: so that the least inconvenience a man in their disfavour was to expect, was to have his name and reputation used, for two or three hours, in the house of commons, with what license and virulency they pleased. None were persecuted with more rigour than the clergy; whereof whosoever publicly, or privately, censured their actions, or suspected their intentions, was either committed to prison, or compelled to a chargeable and long attendance, as inconvenient as imprisonment. And this measure of proceeding was equally, if not with more animosity, applied to those, who, in former times, had been looked upon by that party with most reverence. On the contrary, whoever concurred, voted, and sided with them, in their extravagant conclusions, let the infamy of his former life, or present practice, be what it would, his injustice and oppression never so scandalous and notorious, he was received, countenanced, and protected, with marvellous demonstrations of affection: so that, between those that loved them, and those that feared them, those that did not love the church, and those that did not love some churchmen; those whom the court had oppressed, and those who had helped the court to oppress others; those who feared their power, and those who feared their justice; their party was grown over the kingdom, but especially in the city, justly formidable.

In the mean time, the king omitted no opportunity to provide against the storm he saw was coming; and, though he might not yet own the apprehension of that danger he really found himself in, he neglected not the provision of what he thought most necessary for his defence; he caused all his declarations, messages, and answers, to be industriously communicated throughout his dominions; of which he found good effects; and, by their reception, discovered that the people universally were not so irrecoverably poisoned, as he

before had cause to fear: he caused private intimations to be given, and insinuations to be made to the gentry, "that their presence would be acceptable to him;" and to those, who came to him, he used much gracious freedom, and expressed all possible demonstrations, that he was glad of their attendance: so that, in a short time, the resort to York was very great; and, at least, a good face of a court there.

Beyond the seas, the queen was as intent to do her part; and to provide that so good company, as she heard was daily gathered together about the king, should not be dissolved for want of weapons to defend one another: and therefore, with as much secrecy as could be used in those cases, and in those places where she had so many spies upon her, she caused, by the sale or pawning of her own, and some of the crown jewels, a good quantity of powder and arms to be in a readiness in Holland, against the time that it should be found necessary to transport it to his majesty: so that both sides, whilst they entertained each other with discourses of peace, (which always carried a sharpness with them, that whetted their appetite to war,) provided for that war, which they saw would not be prevented.

Hitherto the greatest acts of hostility, saving that at Hull, were performed by votes and orders; for there was yet no visible, formal execution of the ordinance for the militia, in any one county of England: for the appearance of volunteers in some factious corporations [was] rather countenanced than positively directed and enjoined by the houses; and most places pretended an authority, granted by the king in the charters, by which those corporations were erected, or constituted: but now they thought it time to satisfy the king, and the people, that they were in earnest, (who were hardly persuaded, that they had in truth the courage to execute their own ordinance,) and resolved, "that, on the tenth of May, they would have all the trained bands of London mustered in the fields, "where that exercise usually was performed;" and accordingly, on that day, their own new officer, sergeant-major-general Skippon, appeared in Finsbury fields, with all the trained bands of London, consisting of above eight thousand soldiers, disposed into six regiments, and under such captains and colonels, as they had cause to confide in. At this first triumphant muster, the members of both houses appeared in gross, their being a tent purposely set up for them, and an entertainment at the charge of the city to the value of near a thousand pounds; all men presuming that this example of London, with such ceremony and solemnity, would be easily followed throughout the kingdom; and many believing they had made no small progress towards the end they aimed at, by having engaged the very body of the city in a guilt equal to their own: for though they had before sufficient evidence of the inclinations of the mean and common people to them, and reasonable assurance, that those in authority would hardly be able to contain them; yet, till this day, they had no instance of the concurrence of the city in an act expressly unlawful. But now they presumed all difficulties were over; and so sent their directions to the counties adjacent, speedily to execute the same ordinance: and appointed all the magazines of the several counties of England and Wales, to such custody, as their lord lieutenants, or their

deputy lieutenants, should appoint; and that not only the counties should increase those magazines to what proportion soever they thought convenient, but that any private persons, that were well affected, should supply themselves with what arms and ammunition they pleased. By which means, besides the king's magazines, all which were in their possession, they caused great quantities of all sorts of arms to be provided, and disposed to such places and persons, as they thought fittest to be trusted; especially in those factious corporations, which had listed most volunteers for their service.

The king now saw the storm coming apace upon him; that (notwithstanding his proclamations published against the ordinance of the militia, in which he set down the laws and statutes, which were infringed thereby, and by which the execution of that ordinance would be no less than high treason) the votes and declaration of both houses, "that those proclamations were illegal, and that those acts of parliament could not control the acts and orders of both houses, (which the subjects were, by the fundamental laws of the kingdom, to obey,)" prevailed so far, that obedience was given to them; that he was so far from being like to have Hull restored to him, that the garrison there daily increased, and forced the country to submit to such commands they pleased to lay on them; and that sir John Hotham was more likely to be able to take York, than his majesty to recover Hull; he thought it, therefore, high time, by their example, to put himself into a posture of defence; the danger being much more imminent to his majesty, than to those who had begot that ordinance. Hereupon, at a public meeting of the country, his majesty declared, "that he was resolved, in regard of the public distempers, and the neighbourhood of Hull, to have a guard for his person; but of such persons, and with such circumstances, as should administer no occasion of jealousy to the most suspicious; and wished the gentlemen of quality, who attended, to consider, and advise of the way:" who shortly after (notwithstanding the opposition given by the committee, which still resided there; and the factious party of the county, which was inflamed, and governed by them) expressed a great alacrity to comply with his majesty's desire, in whatsoever should be proposed to them; and a sense, "that they thought a sufficient guard was very necessary for the security of his majesty's person." Hereupon, the king appointed such gentlemen as were willing to list themselves into a troop of horse, and made the prince of Wales their captain; and made choice of one regiment of the trained bands, consisting of about six hundred, whom he caused, every Saturday, to be paid at his own charge; when he had little more in his coffers than would defray the weekly expense of his table: and this troop, with this regiment, was the guard of his person; it being first declared by his majesty, "that no person should be suffered, either in the troop, or the regiment, who did not, before his admission into the service, take the oaths of allegiance and supremacy;" that so he might be free from the scandal of entertaining papists for his security.

But this caution would not serve; the fears and jealousies were capable of no other remedies, than such as were prescribed by those physicians, who

were practised in the disease. As soon as the intelligence was arrived at London, that the king actually had a guard, (though the circumstances were as well known that were used in the raising it,) both houses published these three votes, and dispersed them:

1. "That it appeared, that the king, seduced by wicked counsel, intended to make war against the parliament; who, in all their consultations and actions, had proposed no other end unto themselves, but the care of his kingdoms, and the performance of all duty and loyalty to his person.

2. "That whensoever the king maketh war upon the parliament, it is a breach of the trust reposed in him by his people; contrary to his oath; and tending to the dissolution of the government.

3. "That whosoever should serve him, or assist him in such wars, are traitors by the fundamental laws of the kingdom; and have been so adjudged by two acts of parliament, 2 Rich. II. and 1 Hen. IV. and ought to suffer as traitors."

These lusty votes they sent to the king to York, together with a short petition, in which they told him,

"That his loyal subjects, the lords and commons in parliament, did humbly represent unto his majesty, that notwithstanding his frequent professions to his parliament and the kingdom, that his desire and intention was only the preserving the true protestant profession, the laws of the land, the liberty of his people, and the peace of the kingdom; nevertheless, they perceived with great grief, by his speech of the twelfth of May, and the paper printed in his majesty's name, in the form of a proclamation, bearing date the fourteenth of May, and other evidences, that, under colour of raising a guard to secure his person, of which guard (considering the fidelity and care of his parliament) there could be no use, his majesty did command troops, both of horse and foot, to assemble at York; the very beginnings whereof were apprehended by the inhabitants of that county to be an affrightment and disturbance of his liege people, as appeared by their petition presented to him; the continuing and increasing of which forces was to his parliament, and must needs be, a just cause of great jealousy, and danger to his whole kingdom.

"Therefore they did humbly beseech his majesty to disband all such forces, as, by his command, were assembled, and relying for his security (as his predecessors had done) upon the laws, and affections of his people, he would be pleased to desist from any further designs of that nature, contenting himself with his usual and ordinary guards; otherwise, they should hold themselves bound in duty towards God, and the trust reposed in them by the people, and the fundamental laws and constitutions of the kingdom, to employ their care and utmost power to secure the parliament, and to preserve the peace and quiet of the kingdom."

To this petition, delivered publicly, and read with an equal confidence, by their lieger committee, his majesty answered,

"That he could not but extremely wonder, that the causeless jealousies concerning his majesty, raised and fomented by a malignant party in the kingdom, which desired nothing more than to



"snatch to themselves particular advantages out of a general combustion, (which means of advantage was never ministered to them by his fault, or seeking,) should not only be able to seduce a weak party in the kingdom, but seem to find so much countenance even from both houses, as that his raising of a guard, without further design than for the safety of his person, an action so legal, in a manner so peaceable, upon causes so evident and necessary, should not only be looked upon, and petitioned against by them, as a cause of jealousy; but declared to be raising of a war against them, contrary to his former professions of his care of religion and law: and he no less wondered, that that action of his should be said to be apprehended by the inhabitants of that county, as an affrightment and disturbance to his people, having been as well received there, as it was every where to be justified; and (he spake of the general, not of a few seduced particulars) assisted and sped by that county with that loyal affection and alacrity, as was a most excellent example, set to the rest of the kingdom, of their care of his safety upon all occasions; and should never be forgotten by him, nor, he hoped, by his posterity; but should be ever paid to them, in that, which is the proper expression of a prince's gratitude, a perpetual, vigilant care to govern them justly, and to preserve the only rule, by which they can be so governed, the law of the land: and, he said, he was confident, that if they were themselves eye-witnesses, they would so see the contrary, as to give little present thanks, and, hereafter, little credit to their informers; and, if they had no better information and intelligence of the inclinations and affections of the rest of the kingdom, certainly the minds of his people (which to some ends and purposes they did represent) were but ill represented unto them.

"He asked them, when they had so many months together not contented themselves to rely for security, as their predecessors had done, upon the affection of the people, but by their own single authority had raised to themselves a guard, (and that sometimes of no ordinary numbers, and in no ordinary way,) and yet all those pikes and protestations, that army, on one side, and that navy, on the other, had not persuaded his majesty [to command them] to disband their forces, and to content themselves with their ordinary, that was, no guard; or work in him an opinion, that they appeared to levy war against him, or had any further design; how it was possible, that the same persons should be so apt to suspect and condemn his majesty, who had been so unapt, in the same matter, upon much more ground, to tax or suspect them? This, he said, was his case, notwithstanding the care and fidelity of his parliament: his fort was kept by armed men against him; his proper goods first detained from him, and then, contrary to his command, by strong hand offered to be carried away; in which, at once, all his property as a private person, all his authority as a king, was wrested from him: and yet for him to secure himself in a legal way, that sir John Hotham might not by the same forces, or by more, raised by pretence of the same authority, (for he daily raised some, and it was no new thing for him to pretend orders, which he could not shew,) con-

tinue the war that he had levied against his majesty; and as well imprison his person, as detain his goods; and as well shut him up in York, as shut him out of Hull; was now said to be esteemed a cause of great jealousy to the parliament, a raising war against them, and of danger to the whole kingdom: whilst these injustices, and indignities offered to him, were countenanced by them, who ought to be most forward in his vindication, and their punishment, in observation of their oaths, and trust reposed in them by the people, and to avoid the dissolution of the present government. Upon which case, he said, the whole world was to judge, whether his majesty had not reason, not wholly to rely upon the care and fidelity of his parliament, being so strangely blinded by malignant spirits, as not to perceive his injuries; but to take some care of his own person, and, in order to that, to make use of that authority, which the laws declared to be in his majesty: and, whether that petition, with such a threatening conclusion, accompanied with more threatening votes, gave him not cause, rather to increase, than to diminish his guards; especially, since he had seen, before the petition, a printed paper, dated the seventeenth of May, underwritten by the clerk of the house of commons, commanding, in the name of both lords and commons, the sheriffs of all counties to raise the power of all those counties, to suppress such of his subjects, as, by any of his majesty's commands, should be drawn together, and put (as that paper called it) in a posture of war; charging all his majesty's officers and subjects to assist them in it, at their perils. For though, he said, he could not suspect, that that paper, or any bare votes, not grounded upon law or reason, or quotations of repealed statutes, as those were of the 2 Rich. II. and 1 Hen. IV. should have any ill influence upon his good people, who knew their duties too well not to know, that to take up arms against those, who, upon a legal command of his majesty, came together to a most legal end, (that was, his majesty's security and preservation,) was to levy war against his majesty; yet, if that paper were really the act of both houses, he could not but look upon it as the highest of scorns and indignities; first, to issue commands of force against him; and, after those had appeared useless, to offer, by petition, to persuade him to that, which that force should have effected.

"He said, he concluded his answer to their petition with his counsel to them, that they would join with him in exacting satisfaction for that unparalleled, and yet unpunished, action of sir John Hotham; and that they would command his fort and goods to be returned to his own hands: that they would lay down all pretences (under pretence of necessity, or declaring what is law) to make laws without his majesty, and, by consequence, but a cipher of his majesty: that they would declare effectually against tumults, and call in such pamphlets, (punishing the authors and publishers of them,) as seditiously endeavour to disable his majesty from protecting his people, by weakening, by false assertions, and new false doctrines, his authority with them, and their confidence in him: the particulars of which tumults and pamphlets, he



"said, he would long since have taken care his learned council should have been enabled to give in evidence, if, upon his former offer, his majesty had received any return of encouragement from them in it: and, he said, if they did that, they would then, and hardly till then, persuade the world, that they had discharged their duty to God, the trust reposed in them by the people, and the fundamental laws and constitutions of the kingdom; and employed their care, and utmost power, to secure the parliament, (for, he said, he was still a part of the parliament, and should be, till this well-tempered monarchy was turned to a democracy,) and to preserve the peace and quiet of the kingdom; which, together with the defence of the protestant religion, the laws of the land, and his own just prerogative,) as a part of, and a defence to, those laws,) had been the main end, which, in his consultations and actions, he had proposed to himself."

It will be wondered at hereafter, that in a judging and discerning state, where men had, or seemed to have, their faculties of reason and understanding at the height; in a kingdom then unapt, and generally uninclined to war, (how wantonly soever it hath since seemed to throw away its peace,) those men who had the skill and cunning, out of froward and peevish humours and indispositions, to compound fears and jealousies, and to animate and inflame those fears and jealousies into the most prodigious and the boldest rebellion, that any age or country ever brought forth; who very well saw and felt, that the king had not only, to a degree, wound himself out of that labyrinth, in which, four months before, they had involved him, with their privileges, fears, and jealousies; but had even so well informed the people, that they began to question both their logic and their law, and to suspect and censure the improvement and gradation of their fears, and the extent and latitude of their privileges; and that they were not only denied by the king, what they required, but that the king's reasons of his denial made very many conclude the unreasonableness of their demands: I say, it may seem strange, that these men could entertain the hope and confidence to obtrude such a declaration and vote upon the people, "that the king did intend to make war against the parliament;" when they were so far from apprehending, that he would be able to get an army to disturb them, that they were most assured, he would not be able to get bread to sustain himself three months, without submitting all his counsels to their conduct and control; and that the offering to impose it did not awaken the people to an indignation, which might have confounded them: for, besides their presumption in endeavouring to search what the scripture itself told them was unsearchable, the heart of the king; the very law of the land, whose defence they pretended, makes no conclusion of the intention of the meanest subject, in a matter of the highest and tenderest consideration, even treason itself against the life of the king, without some overt, unlawful act, from whence, and other circumstances, the ill intention may be reasonably made appear; and therefore, to declare that the king intended to make war against his parliament, when he had neither ship, harbour, arms, nor money, and knew not how to get either, and when he offered to grant any thing to them, which they

could pretend a justifiable reason for asking, was an undertaking of that nature, that even the almightiness of a parliament might have despaired to succeed in.

But, notwithstanding all this, they very well knew what they did, and understood what infinite advantage that vote would (as it did) bring to them; and that a natural way would never bring them to their unnatural end. The power and reputation of parliament, they believed, would implicitly prevail over many; and amaze and terrify others from disputing or censuring what they did, and upon what grounds they did it. The difficulty was, to procure the judgment of parliament; and to incline those different constitutions, and different affections, to such a concurrence, as the judgment might not be discredited, by the number of the dissenters; nor wounded, or prejudged, by the reasons and arguments given against it: and then, their judgments of the cure being to be grounded upon the nature and information of the disease, it was necessary to confine and contract their fancies and opinions within some bounds and limits: the mystery of rebellion challenging the same encouragement with other sciences, to grow by; that there may be certain postulata, some principles and foundations, upon which the main building may subsist. So, in the case of the militia, an imminent danger must be first supposed, by which the kingdom is in an apparent danger, and then the king's refusal to apply any remedy against that danger, before the two houses would pretend to the power of disposing that militia; it being too ridiculous to have pretended the natural and ordinary jurisdiction over it: but, in case of danger, and danger so imminent, that the usual recourse would not serve the turn, and for the saving of a kingdom, which must otherwise be lost, many good men thought it was reasonable to apply a very extraordinary prevention, without imagining such a supposition might possibly engage them in any action, contrary to their own inclinations; and, without doubt, very many, who frankly voted that imminent necessity, were induced to it, as an argument, that the king should be therefore importuned to consent to the settlement; which would not have appeared so necessary a request, if the occasion had not been important; never suspecting, that it would have proved an argument to them, to adventure the doing it without the king's consent. And it is not here unseasonable, (how merry soever it may seem to be,) as an instance of the incogitancy and inadvertency of those kind of votes and transactions, to remember, that the first resolution of the power of the militia being grounded upon a supposition of an imminent necessity, the ordinance first sent up from the commons to the lords, for the execution of the militia, expressed an *eminent* necessity; whereupon, some lords, who understood the difference of the words, and that an *eminent* necessity might be supplied by the ordinary provision, which, possibly, an *imminent* necessity might not safely attend, desired a conference with the commons for the amendment; which, I remember, was at last, with great difficulty, consented to: many (who, I presume, are not yet grown up to conceive the difference) supposing it an unnecessary contention for a word, and so yielding to them, for saving of time, rather than of the great moment of the thing.

They, who contrived this scene, never doubted

that, after a resolution what was to be done upon a suppositions, necessity, they should easily, when they found it convenient, make that necessity real. It was no hard matter to make the fearful, apprehensive of dangers; and the jealous, of designs; and they wanted not evidence of all kinds; [of] letters from abroad, and discoveries at home, to make those apprehensions formidable enough; and then, though, before the resolution, there was a great latitude in law and reason, what was lawfully to be done, they had now forejudged themselves, and resolved of the proper remedy, except they would argue against the evidence; which usually would have been to discountenance or undervalue some person of notable reputation, or his correspondence; and always to have opposed that that was of such an alloy, as, in truth, did operate upon the major part. So, in the case upon which we now discourse, if they had, in the most advantageous article of their fury, professed the raising an army against the king, there was yet that reverence to majesty, and that spirit of subjection and allegiance in most men, that they would have looked upon it with opposition and horror: but defensive arms were more plausible divinity, and if the king should commit such an outrage, as to levy war against his parliament, to destroy the religion, laws, and liberty of the kingdom, good men were persuaded, that such a resistance might be made, as might preserve the whole; and he that would have argued against this thesis, besides the impertinency of arguing against a supposition, that was not like to be real, and in which the corrupt consideration of safety seemed to bribe most men, could never escape the censure of promoting tyranny and lawless dominion. Then to incline men to concur in the declaration "of the king's intention to make war against the parliament," they were persuaded it might have a good, could have no ill, effect: the remedies, that were to be applied upon an actual levying of war, were not justifiable upon the intention; and the declaring this intention, and the dangers it carried with it to the king himself, and to all those who should assist him, would be a probable means of reforming such intention, and preventing the execution: inconvenience it could produce none, (for the disquieting or displeasing the king was not thought inconvenient,) if there were no progress in the supposed intention; if there were, it were fit the whole kingdom should stand upon its guard, and not be surprised to its confusion.

By these false and fallacious mediums, the clearness of men's understandings were dazzled; and, upon the matter, all their opinions, and judgments for the future, captivated and preengaged by their own votes and determinations. For, how easy a matter was it to make it appear to that man, who consented that the king intended to make war against the parliament, that when he should do it, he had broken his oath, and dissolved his government; and, that whosoever should assist him were traitors; I say, how easy was it to persuade that man, that he was obliged to defend the parliament; to endeavour to uphold that government; and to resist those traitors? and, whosoever considers that the nature of men, especially of men in authority, is inclined rather to commit two errors, than to retract one, will not marvel, that from this root of unadvisedness, so many and tall branches of mischief have proceeded. And therefore it were to be wished, that those, who have the honour to be

trusted in public consultations, were endued with so much natural logic, to discern the consequences of every public act and conclusion; and with so much conscience and courage, to watch the first impressions upon [their] understanding and compliance: and, neither out of the impertinency of the thing, which men are too apt to conclude out of impatience of despatch; or out of stratagem to make men odious, (as in this parliament many forbore to oppose unreasonable resolutions, out of an opinion, that they would make the contrivers odious,) or upon any other (though seeming never so politic) considerations, [they] consent to any propositions, by which truth or justice are invaded. And I am confident, with very good warrant, that many men have, from their souls, abhorred every article of this rebellion; and heartily deprecated the miseries and desolation we have suffered by it, who have themselves, with great alacrity and some industry, contributed to, if not contrived, those very votes and conclusions, from whence the evils they abhor have most naturally and regularly flowed, and been deduced; and which they could not reasonably, upon their own concessions, contradict and oppose.

But to conclude, a man shall not unprofitably spend his contemplation, that, upon this occasion, considers the method of God's justice, (a method terribly remarkable in many passages, and upon many persons, which we shall be compelled to remember in this discourse,) that the same principles, and the same application of those principles, should be used to the wresting all sovereign power from the crown, which the crown had a little before made use of for the extending its authority and power beyond its bounds, to the prejudices of the just rights of the subject. A supposed necessity was then thought ground enough to create a power, and a bare averment of that necessity, to beget a practice to impose what tax they thought convenient upon the subject, by writs of ship-money never before known; and a supposed necessity now, and a bare averment of that necessity, is as confidently, and more fatally, concluded a good ground to exclude the crown from the use of any power, by an ordinance never before heard of; and the same maxim of *salus populi suprema lex*, which had been used to the infringing the liberties of the one, made use of for the destroying the rights of the other: only that of the psalmist is yet inverted; for many of those, who were the principal makers of the first pit, are so far from falling into it, that they have been the chiefest diggers of the second ditch, in which so many have been confounded.

Though they had yet no real apprehension, that the king would be able, in the least degree, to raise a force against them, yet they were heartily enraged to find that he lived more like a king, than they wished he should; that there was so great resort to him from all parts; and that whereas, little more than two months before, his own servants durst hardly avow the waiting on him, now the chief gentlemen of all counties travelled to him, to tender their service; which implied a disapprobation, at least, if not a contempt of their carriage towards him. Therefore, to prevent this mischief, they easily found exception to, and information against, some persons, who had resorted to York; whom they sent the sergeant of the house of commons to apprehend, and bring

them before the house as delinquents, to answer such matters as should be objected against them. In this number there was one Beckwith, a gentleman of Yorkshire, who, as sir John Hotham had sent them word, had endeavoured to corrupt some officers of the garrison to deliver Hull up to the king; this they declared to be a very heinous crime, and little less than high treason; and therefore concluded him a delinquent, and to be sent for to attend them: it was thought strangely ridiculous by standers by, that sir John Hotham should be justified for keeping the town against the king, and another gentleman be voted a delinquent for designing to recover it to its allegiance; and that they, who, but few days before, when the king had sent a warrant to require serjeant-major Skippon to attend his majesty at York, resolved, and published their resolutions in print, (as they did all things, which they conceived might diminish the reputation of the king, or his authority,) "that such command from his majesty was against the law of the land, and the liberty of the subject, and likewise (the person being employed by them to attend their service) against the privilege of parliament; and therefore, that their serjeant-major-general of the forces of London (that was his style) should continue to attend the service of both houses according to their former commands;" should expect that their warrant should be submitted to by those, who were waiting on the king, whose known legal authority, severed from any thing that might be understood to relate to the parliament, or its privileges, they had so flatly contradicted and contemned, that the same day on which they redeemed their officer Skippon from his allegiance, and duty of going to the king, being informed, that the king had sent a writ to adjourn the term (Midsummer term) to York from Westminster, which was as much in his power legally to do as to make a knight, they declared, "that the king's removing of the term to York from Westminster, sitting the parliament, was illegal;" and ordered, "that the lord keeper should not issue out any writs, or seal any proclamation, to that purpose;" which was by him observed accordingly, notwithstanding the king's command for the adjournment.

When their officer came to York for the apprehension of the delinquents, he found the same neglect there of the parliament, as he found above of the king; and was so ill intreated by those, whom he looked upon as his prisoners, that, if the king's extraordinary provision had not been interposed, the messenger would scarce have returned to have reported how uncurrent such warrants were like to be in York, and how perilous such voyages might prove to the adventurers: but how amazed or surprised soever they seemed to be with this new contradiction, it was no more than they looked for; for their dilemma was, if their messenger returned with his prize, all the resort to, and all the glory of York was determined; for no man would repair thither, from whence the bare voting him a delinquent would remove him with those other inconvenient circumstances of censure and imprisonment: if he returned neglected and affronted, as they presumed he would, they had a new reproach for the king, "of protecting delinquents against the justice of parliament;" which would be a new breach of their privileges, as heinous and unpopular, as had yet been made,

and for the vindication whereof their protestation would no less oblige them, than it had done on the behalf of the five members. And such votes they passed upon the return of their officer; and had in readiness prepared two voluminous declarations to the people, which they published about the same time; in the one filled with all the reiterated complaints, and envenomed repetitions, of what had been done, or been thought to have been done amiss in the whole reign of the king, to render his person odious, or unacceptable; and in the other by undervaluing his royal power, and declaring against it, to make his authority despised, at least not feared.

The first was of the nineteenth of May, in which they declared,

"That the infinite mercy and providence of the Almighty God had been abundantly manifested, since the beginning of this parliament, in great variety of protections and blessings; whereby he had not only delivered them from many wicked plots and designs, which, if they had taken effect, would have brought ruin and destruction upon the kingdom; but, out of those attempts, had produced divers evident and remarkable advantages, to the furtherance of those services, which they had been desirous to perform to their sovereign lord the king, and to the church and state, in providing for the public peace, and prosperity of his majesty, and all his realms; which, in the presence of the same all-seeing Deity, they protested to have been, and still to be, the only end of all their counsels and endeavours; wherein they had resolved to continue freed and enlarged from all private aims, personal respects, or passions whatsoever.

"In which resolution, they said, they were nothing discouraged, although the heads of the malignant party disappointed of their prey, the religion and liberty of the kingdom, which they were ready to seize upon and devour before the beginning of this parliament, had still persisted, by new practices, both of force and subtilty, to recover the same again; for which purpose they had made several attempts for bringing up the army; they afterwards projected the false accusation of the lord Kimbolton, and the five members of the house of commons, which being in itself of an odious nature, they had yet so far prevailed with his majesty, as to procure him to take it upon himself; but when the unchangeable duty and faithfulness of the parliament could not be wrought upon, by such a fact as that, to withdraw any part of their reverence and obedience from his majesty, they had, with much art and industry, advised his majesty to suffer divers unjust scandals and imputations upon the parliament, to be published in his name, whereby they might make it odious to the people, and, by their help, to destroy that, which hitherto had been the only means of their own preservation.

"For this purpose, they had drawn his majesty into the northern parts far from the parliament; that so false rumours might have time to get credit, and the just defences of the parliament find a more tedious, difficult, and disadvantageous access, after those false imputations and slanders had been first rooted in the apprehension of his majesty and his subjects; which the more speedily to effect, they had caused a press

“ by the most ancient law of the kingdom, even  
 “ that which is fundamental and essential to the  
 “ constitution and subsistence of it.  
 “ Although they never desired, they said, to  
 “ encourage his majesty to such replies as might  
 “ produce any contestation between him and his  
 “ parliament, of which they never found better  
 “ effect, than loss of time, and hinderance of the  
 “ public affairs; yet they had been far from telling  
 “ him of how little value his words would be with  
 “ them, much less when they were accompanied  
 “ with actions of love and justice. They said, he  
 “ had more reason to find fault with those wicked  
 “ counsellors, who had so often bereaved him of  
 “ the honour, and his people of the fruit of many  
 “ gracious speeches, which he had made to them,  
 “ such as those in the end of the last parliament;  
 “ that, in the word of a king, and as he was a  
 “ gentleman, he would redress the grievances of  
 “ his people, as well out of parliament as in it.  
 “ They asked, if the searching the studies and  
 “ chambers, yea, the pockets of some, both of the  
 “ nobility and commons, the very next day; the  
 “ commitment of Mr. Bellasis, sir John Hotham,  
 “ and Mr. Crew; the continued oppressions by  
 “ ship-money, coat and conduct money; with the  
 “ manifold imprisonments, and other vexations  
 “ thereupon, and other ensuing violations of the  
 “ laws and liberties of the kingdom, (all which  
 “ were the effects of evil counsel, and abundantly  
 “ declared in their remonstrance of the state of the  
 “ kingdom,) [were] actions of love and justice,  
 “ suitable to such words as those?  
 “ As gracious was his majesty’s speech in the  
 “ beginning of this parliament; that he was re-  
 “ solved to put himself freely and clearly upon the  
 “ love and affection of his English subjects. They  
 “ asked whether his causeless complaints and jea-  
 “ lousies, the unjust imputations so often cast upon  
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 “ fence by the ordinance of the militia, his dan-  
 “ gerous absenting himself from his great council,  
 “ like to produce such a mischievous division in  
 “ the kingdom, had not been more suitable to  
 “ other men’s evil counsels, than to his own words?  
 “ Neither, they said, had his latter speeches been  
 “ better used, and preserved by those evil and  
 “ wicked counsellors. Could any words be fuller  
 “ of love and justice, than those in his answer to  
 “ the message sent to the house of commons, the  
 “ thirty-first of December, 1641: We do engage  
 “ unto you solemnly the word of a king, that the  
 “ security of all and every one of you from violence  
 “ is, and ever shall be, as much our care, as the  
 “ preservation of us, and our children? And could  
 “ any actions be fuller of injustice and violence,  
 “ than that of the attorney general, in falsely  
 “ accusing the six members of parliament, and the  
 “ other proceedings thereupon, within three or four  
 “ days after that message? For the full view  
 “ whereof, they desired the declaration made of  
 “ those proceedings might be perused; and by  
 “ those instances (they could add many more) the  
 “ world might judge who deserved to be taxed  
 “ with disvaluing his majesty’s words, they who  
 “ had, as much as in them lay, stained and sullied  
 “ them with such foul counsels; or the parliament,  
 “ who had ever manifested, with joy and delight,  
 “ their humble thankfulness for those gracious  
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 “ who had ever manifested, with joy and delight,  
 “ their humble thankfulness for those gracious  
 “ words, and actions of love and justice, which had  
 “ been conformable thereunto.

“ Amongst divers writings of that kind, they  
 “ said, they, the lords and commons in parliament,  
 “ had taken into their consideration two printed  
 “ papers; the first containing a declaration, which  
 “ they had received from his majesty, in answer to  
 “ that which had been presented to his majesty  
 “ from both houses at Newmarket, the ninth of  
 “ March, 1641; the other, his majesty’s answer  
 “ to the petition of both houses, presented to his  
 “ majesty the twenty-sixth of March, 1642. Both  
 “ which were filled with harsh censures, and cause-  
 “ less charges upon the parliament; concerning  
 “ which they held it necessary to give satisfaction  
 “ to the kingdom; seeing they found it very diffi-  
 “ cult to satisfy his majesty, whom, to their great  
 “ grief, they had found to be so engaged to, and  
 “ possessed by those misapprehensions, which evil  
 “ counsellors have wrought in him, that their most  
 “ humble and faithful remonstrances had rather  
 “ irritated and embittered, than any thing allayed,  
 “ or mitigated, the sharp expressions, which his  
 “ majesty had been pleased to make in answer to  
 “ them; for the manifestation whereof, and of their  
 “ own innocence, they desired that all his majesty’s  
 “ loving subjects might take notice of these  
 “ particulars:  
 “ They knew no occasion given by them, which  
 “ might move his majesty to tell them, that in  
 “ their declaration, presented at Newmarket, there  
 “ were some expressions different from the usual  
 “ language to princes: neither did they tell his  
 “ majesty, either in words or in effect, that if he  
 “ did not join with them in an act, which he con-  
 “ ceived might prove prejudicial and dangerous to  
 “ himself and the whole kingdom, they would make  
 “ a law without him, and impose it upon the people.  
 “ That which they desired, they said, was, that, in  
 “ regard of the imminent danger of the kingdom,  
 “ the militia, for the security of his majesty and his  
 “ people, might be put under the command of such  
 “ noble and faithful persons, as they had all cause  
 “ to confide in: and such was the necessity of this  
 “ preservation, that they declared, that, if his ma-  
 “ jesty should refuse to join with them therein,  
 “ the two houses of parliament, being the supreme  
 “ court, and highest council of the kingdom, were  
 “ enabled, by their own authority, to provide for  
 “ the repulsing of such imminent and evident dan-  
 “ ger, not by any new law of their own making, as  
 “ had been untruly suggested to his majesty, but

"The king, they said, had been pleased to disavow the having any such evil counsel or counsellors, as were mentioned in their declaration, to his knowledge; and they held it their duty humbly to avow there were such; or else they must say, that all the ill things done of late in his majesty's name had been done by himself; wherein they should neither follow the direction of the law, nor the affection of their own hearts, which was, as much as might be, to clear his majesty from all imputation of misgovernment, and to lay the fault upon his ministers. The false accusing of six members of parliament; the justifying Mr. Attorney, in that false accusation; the violent coming to the house of commons; the denial of the militia; the sharp messages to both houses, contrary to the customs of former kings; the long and remote absence of his majesty from parliament; the heavy and wrongful taxes upon both houses; the cherishing and countenancing a discontented party in the kingdom against them, were certainly the fruits of very evil counsels, apt to put the kingdom into a combustion, to hinder the supplies of Ireland, and to countenance the proceedings and pretensions of the rebels there: and the authors of these evil counsels, they conceived, must needs be known to his majesty; and they hoped their labouring with his majesty, to have those discovered, and brought to a just censure, would not so much wound his honour in the opinion of his good subjects, as his labouring to preserve and conceal them.

"And whereas his majesty had said, he could wish that his own immediate actions, which he avowed, and his own honour, might not be so roughly censured under that common style of evil counsellors; they said, that they could also heartily wish that they had not cause to make that style so common; but how often and undutifully soever those wicked counsellors should fix their dishonour upon the king, by making his majesty the author of those evil actions, which were the effects of their own evil counsels, they, his majesty's loyal and dutiful subjects, could use no other style, according to that maxim of the law, *the king can do no wrong*; but if any ill were committed in matter of state, the council; if in matter of justice, the judges must answer for it.

"They said, they had laid no charge upon his majesty, which should put him upon that apology, concerning his faithful and jealous affection of the protestant profession: neither did his majesty endeavour to clear those in greatest authority about him, by whom they had said that design had been potentially carried on for divers years; and they rather wished that the mercies of heaven, than the judgments, might be manifested upon them; but that there had been such, there were such plentiful and frequent evidences, that they believed there was none, either protestant or papist, who had had any reasonable view of the passages of latter times, but, either in fear or hope, did expect a sudden issue of that design.

"They said, they had no way transgressed against the Act of Oblivion, by remembering the intended war against Scotland, as a branch of that design to alter religion by those wicked counsels, from which God did then deliver them, which they ought never to forget.

"That the rebellion in Ireland was framed and cherished by the popish and malignant party in England, was not only affirmed by the rebels, but, they said, might be cleared by many other proofs: the same rebellious principles of pretended religion, the same politic ends were apparent in both, and their malicious designs and practices were masked and disguised with the same false colour of their earnest zeal to vindicate his majesty's prerogative, from the supposed oppression of the parliament. How much those treacherous pretences had been countenanced, by some evil council about his majesty, might appear in this, that the proclamation, whereby they were declared traitors, was so long withheld, as to the second of January, though the rebellion brake forth in October before, and then no more than forty copies appointed to be printed; with a special command from his majesty not to exceed that number; and that none of them should be published, till his majesty's pleasure was further signified, as by the warrant appears, a true copy whereof was annexed to this declaration; so that a few only could take notice of it; which was made more observable, by the late contrary proceedings against the Scots, who were in a very quick and sharp manner proclaimed; and those proclamations forthwith dispersed, with as much diligence as might be, throughout all the kingdom, and ordered to be read in all churches, accompanied with public prayers and execrations. Another evidence of favour and countenance to the rebels in some of power about his majesty, was this, that they had put forth, in his majesty's name, a causeless complaint against the parliament, which speaks the same language of the parliament which the rebels do, thereby to raise a belief in men's minds, that his majesty's affections were alienated, as well as his person was removed, from that his great council. All which, they said, did exceedingly retard the supplies of Ireland, and more advance the proceedings of the rebels, than any jealousy or misapprehension begotten in his subjects, by the declaration of the rebels, injunction of Rosetti, or information of Tristram Whetcomb; so that, considering the present state and temper of both kingdoms, his royal presence was far more necessary here, than it could be in Ireland, for redemption or protection of his subjects there.

"And whether there were cause of his majesty's great indignation, for being reproached to have intended force or threatening to the parliament, they desired them to consider who should read their declaration, in which there was no word tending to any such reproach; and certainly, they said, they had been more tender of his majesty's honour in that point, than he, whosoever he was, that did write that declaration; where, in his majesty's name, he did call God to witness, he never had any such thought, or knew of any such resolution of bringing up the army; which truly, they said, would seem strange to those, who should read the deposition of Mr. Goring, information of Mr. Percy, and divers other examinations of Mr. Wilmot, Mr. Pollard, and others; the other examination of Captain Leg, sir Jacob Ashley, and sir John Conyers; and consider the condition and nature of the petition, which was sent unto sir Jacob Ashley, under the approbation of C. R. which his majesty had now

"acknowledged to be his own hand; and, being  
"full of scandal to the parliament, might have  
"proved dangerous to the whole kingdom, if the  
"army should have interposed betwixt the king  
"and them, as was desired.

"They did not affirm that his majesty's warrant  
"was granted for the passage of Mr. Jermyn, after  
"the desire of both houses for restraint of his ser-  
"vants; but only that he did pass over, after that  
"restraint, by virtue of such a warrant. They  
"knew the warrant bore date the day before their  
"desire; yet, they said, it seemed strange to those,  
"who knew how great respect and power Mr.  
"Jermyn had in court, that he should begin his  
"journey in such haste, and in apparel so unfit for  
"travel, as a black satin suit, and white boots, if  
"his going away was designed the day before.

"The accusation of the lord Kimbolton, and the  
"five members of the house of commons, was  
"called a breach of privilege; and truly so it was,  
"and a very high one, far above any satisfaction  
"that had been yet given: for, they asked, how it  
"could be said to be largely satisfied, so long as  
"his majesty laboured to preserve Mr. Attorney  
"from punishment, who was the visible actor in it?  
"So long as his majesty had not only justified  
"him, but by his letter declared, that it was his  
"duty to accuse them, and that he would have  
"punished him, if he had not done it? So long as  
"those members had not the means of clearing  
"their innocence, and the authors of that mali-  
"cious charge undiscovered, though both houses  
"of parliament had several times petitioned his  
"majesty to discover them, and that, not only upon  
"grounds of common justice, but by act of parlia-  
"ment, his majesty was bound to do it? So long  
"as the king refused to pass a bill for their dis-  
"charge, alleging that the narrative in that bill  
"was against his honour; whereby he seemed still  
"to avow the matter of that false and scandalous  
"accusation, though he deserted the prosecution,  
"offering to pass a bill for their acquittal; yet  
"with intimation that they must desert the avow-  
"ing their own innocence, which would more  
"wound them in honour, than secure them in law?  
"And in vindication of that great privilege of parlia-  
"ment, they did not know that they had in-  
"vaded any privilege belonging to his majesty, as  
"had been alleged in that declaration.

"But, they said, they looked not upon that only  
"in the notion of a breach of privilege, which  
"might be, though the accusation were true or  
"false; but under the notion of a heinous crime  
"in the attorney, and all other subjects, who had  
"a hand in it; a crime against the law of nature,  
"against the rules of justice; that innocent men  
"should be charged with so great an offence as  
"treason, in the face of the highest judicatory of  
"the kingdom, whereby their lives and estates,  
"their blood and honour, were endangered, with-  
"out witness, without evidence, without all possi-  
"bility of reparation in a legal course; yet a crime  
"of such a nature, that his majesty's command can  
"so more warrant, than it can any other act of  
"injustice. These things, which were evil in their  
"own nature, such as a false testimony, or false  
"accusation, could not be the subject of any com-  
"mand, or induce any obligation of obedience  
"upon any man, by any authority whatsoever:  
"therefore the attorney, in that case, was bound  
"to have refused to execute such a command,

"unless he had some such evidence or testimony,  
"as might have warranted him against the parties,  
"and be liable to make satisfaction, if it should  
"prove false; and it was sufficiently known to  
"every man, and adjudged in parliament, that the  
"king could be neither the relater, informer, or  
"witness. If it should rest as it was, without  
"further satisfaction, no future parliament could  
"be safe, but that the members might be taken,  
"and destroyed at pleasure; yea the very prin-  
"ciples of government and justice would be in  
"danger to be dissolved.

"They said, they did not conceive, that numbers  
"did make an assembly unlawful, but when either  
"the end, or manner of their carriage should be  
"unlawful. Divers just occasions might draw the  
"citizens to Westminster; where many public and  
"private petitions, and other causes, were depend-  
"ing in parliament; and why that should be found  
"more faulty in the citizens, than the resort every  
"day in the term of great numbers to the ordinary  
"courts of justice, they knew not: that those citi-  
"zens were notoriously provoked, and assaulted at  
"Westminster by colonel Lunsford, captain Hyde,  
"and others, and by some of the servants of the  
"archbishop of York, was sufficiently proved;  
"and that afterwards they were more violently  
"wounded, and most barbarously mangled with  
"swords, by the officers and soldiers near White-  
"hall, many of them being without weapons, and  
"giving no cause of distaste, was likewise proved  
"by several testimonies; but of any scandalous  
"or seditious misdemeanours of theirs, that might  
"give his majesty good cause to suppose his own  
"person, or those of his royal consort or children,  
"to be in apparent danger, they had no proof ever  
"offered to either house; and if there had been  
"any complaint of that kind, it was no doubt the  
"houses would have been as forward to join in  
"an order, for the suppressing of such tumults,  
"as they were, not long before, upon another  
"occasion, when they made an order to that pur-  
"pose; whereas those officers and soldiers, which  
"committed that violence upon so many of the  
"citizens at Whitehall, were cherished and fostered  
"in his majesty's house; and when, not long after,  
"the common council of London presented a peti-  
"tion to his majesty for reparation of those inju-  
"ries, his majesty's answer was, without hearing  
"the proof of the complainants, that if any citizen  
"were wounded, or ill entreated, his majesty was  
"confidently assured, that it happened by their  
"own evil and corrupt demeanours.

"They said, they hoped, it could not be thought  
"contrary to the duty and wisdom of a parliament,  
"if many concurring, and frequently reiterated  
"and renewed advertisements from Rome, Venice,  
"Paris, and other parts, if the solicitations of the  
"pope's nuncio, and their own discontented fugi-  
"tives, did make them jealous and watchful for  
"the safety of the state: and they had been very  
"careful to make their expressions thereof so easy,  
"and so plain to the capacity and understanding  
"of the people, that nothing might justly stick  
"with them, with reflection upon the person of his  
"majesty: wherein they appealed to the judgment  
"of any indifferent person, who should read and  
"peruse their own words.

"They said, they must maintain the ground of  
"their fears to be of that moment, that they could  
"not discharge the trust and duty that lay upon

“ them, unless they did apply themselves to the use  
 “ of those means, to which the law had enabled  
 “ them in cases of that nature, for the necessary  
 “ defence of the kingdom ; and as his majesty did  
 “ graciously declare, that the law should be the  
 “ measure of his power ; so did they most heartily  
 “ profess, that they should always make it the rule  
 “ of their obedience. Then they observed, that  
 “ there were certain prudent omissions in his ma-  
 “ jesty’s answer ; and said, that the next point of  
 “ their declaration was, with much caution, arti-  
 “ ficially passed over by him who drew his ma-  
 “ jesty’s answer ; it being indeed the foundation  
 “ of all their misery, and his majesty’s trouble,  
 “ that he was pleased to hear general taxes upon  
 “ his parliament, without any particular charge,  
 “ to which they might give satisfaction ; and that  
 “ he had often conceived displeasure against par-  
 “ ticular persons, upon misinformation ; and al-  
 “ though those informations had been clearly  
 “ proved to be false, yet he would never bring  
 “ the accusers to question ; which did lay an im-  
 “ possibility upon honest men of clearing them-  
 “ selves, and gave an encouragement to false and  
 “ unworthy persons to trouble him with untrue  
 “ and groundless informations. Three particulars  
 “ they had mentioned in their declaration, which  
 “ the penner of his majesty’s answer had good  
 “ cause to omit : the words supposed to be spoken  
 “ at Kensington ; the pretended articles against  
 “ the queen ; and the groundless accusation of  
 “ the six members of the parliament ; there being  
 “ nothing to be said in defence, or denial of any  
 “ of them.

“ Concerning his majesty’s desire to join with  
 “ his parliament, and with his faithful subjects, in  
 “ defence of religion, and public good of the king-  
 “ dom, they said, they doubted not he would do it  
 “ fully, when evil counsellors should be removed  
 “ from about him ; and until that should be, as  
 “ they had shewed before of words, so must they  
 “ also say of laws, that they could not secure  
 “ them : witness the Petition of Right, which had  
 “ been followed with such an inundation of illegal  
 “ taxes, that they had just cause to think, that the  
 “ payment of eight hundred and twenty thousand  
 “ pounds, was an easy burden to the common-  
 “ wealth in exchange of them ; and they could not  
 “ but justly think, that if there were a continuance  
 “ of such ill counsellors, and favour to them, they  
 “ would, by some wicked device or other, make  
 “ the bill for the triennial parliament, and those  
 “ other excellent laws mentioned in his majesty’s  
 “ declaration, of less value than words. That ex-  
 “ cellent bill for the continuance of this parliament,  
 “ they said, was so necessary, that without it they  
 “ could not have raised so great sums of money  
 “ for the service of his majesty and the common-  
 “ wealth, as they had done, and without which the  
 “ ruin and destruction of the kingdom must needs  
 “ have followed : and, they were resolved, the  
 “ gracious favour of his majesty, expressed in that  
 “ bill, and the advantage and security which thereby  
 “ they had from being dissolved, should not encour-  
 “ age them to do any thing, which otherwise had  
 “ not been fit to have been done. And they were  
 “ ready to make it good before all the world, that  
 “ although his majesty had passed many bills very  
 “ advantageous for the subject, yet in none of  
 “ them had they bereaved his majesty of any just,  
 “ necessary, or profitable prerogative of the crown.

“ They said, they so earnestly desired his ma-  
 “ jesty’s return to London, that upon it, they con-  
 “ ceived, depended the very safety and being of  
 “ both his kingdoms : and therefore they must  
 “ protest, that, as for the time past, neither the  
 “ government of London, nor any laws of the land,  
 “ had lost their life and force for his security, so  
 “ for the future they should be ready to do or say  
 “ any thing, that might stand with the duty or  
 “ honour of a parliament, which might raise a  
 “ mutual confidence between his majesty and them,  
 “ as they did wish, and as the affairs of the king-  
 “ dom did require.

“ Thus far, they said, the answer to that, which  
 “ was called his majesty’s declaration, had led  
 “ them. Now they came to that, which was  
 “ entitled his majesty’s answer to the petition of  
 “ both houses, presented to him at York, the  
 “ twenty-sixth of March, 1642. In the beginning  
 “ whereof, his majesty wished, that their privileges  
 “ on all parts were so stated, that that way of  
 “ correspondence might be preserved with that  
 “ freedom, which had been used of old. They said,  
 “ they knew nothing introduced by them, that  
 “ gave any impediment thereunto ; neither had  
 “ they affirmed their privileges to be broken, when  
 “ his majesty denied them any thing, or gave a  
 “ reason why he could not grant it ; or that those,  
 “ who advised such denial, were enemies to the  
 “ peace of the kingdom, and favourers of the Irish  
 “ rebellion ; in which aspersion, that was turned to  
 “ a general assertion, which, in their votes, was  
 “ applied to a particular case ; wherefore they must  
 “ maintain their votes, that those who advised his  
 “ majesty to contradict that, which both houses,  
 “ in the question concerning the militia, had de-  
 “ clared to be law, and command it should not  
 “ be obeyed, is a high breach of privilege, and that  
 “ those, who advised his majesty to absent himself  
 “ from his parliament, were enemies to the peace  
 “ of the kingdom, and justly to be suspected to be  
 “ favourers of the rebellion in Ireland. The rea-  
 “ sons of both were evident, because in the first  
 “ there was as great a derogation from the trust  
 “ and authority of parliament ; and, in the second,  
 “ as much advantage to the proceedings and hopes  
 “ of the rebels, as might be ; and they held it a  
 “ very causeless imputation upon the parliament,  
 “ that they had therein any way impeached, much  
 “ less taken away the freedom of his majesty’s  
 “ vote ; which did not import a liberty in his ma-  
 “ jesty, to deny any thing how necessary soever  
 “ for the preservation of the kingdom, much less a  
 “ license to evil counsellors, to advise any thing,  
 “ though never so destructive to his majesty and  
 “ his people.

“ By the message of the twentieth of January,  
 “ his majesty had propounded to both houses of  
 “ parliament, that they would, with all speed, fall  
 “ into a serious consideration of all those particulars  
 “ which they thought necessary, as well for the  
 “ upholding and maintaining of his majesty’s just  
 “ and regal authority, and for the settling his  
 “ revenue, as for the present and future establishing  
 “ their privileges ; the free and quiet enjoying  
 “ their estates ; the liberties of their persons ; the  
 “ security of the true religion, professed in the  
 “ church of England ; and the settling of cere-  
 “ monies, in such a manner, as might take away  
 “ all just offence, and to digest it into one entire  
 “ body.



“ To that point of upholding and maintaining his royal authority, they said, nothing had been done to the prejudice of it, that should require any new provision : to the other of settling the revenue, the parliament had no way abridged or disordered his just revenue ; but it was true, that much waste and confusion of his majesty’s estate had been made by those evil and unfaithful ministers, whom he had employed in the managing of it ; whereby his own ordinary expenses would have been disappointed, and the safety of the kingdom more endangered, if the parliament had not, in some measure, provided for his household, and for some of the forts, more than they were bound to do ; and they were still willing to settle such a revenue upon his majesty, as might make him live royally, plentifully, and safely ; but they could not, in wisdom and fidelity to the commonwealth, do that, till he should choose such counsellors and officers, as might order and dispose it to the public good, and not apply it to the ruin and destruction of his people, as heretofore it had been. But that, and the other matters concerning themselves, being works of great importance, and full of intricacy, would require so long a time of deliberation, that the kingdom might be ruined before they could effect them : therefore they thought it necessary, first to be suitors to his majesty, so to order the militia, that, the kingdom being secured, they might, with more ease and safety, apply themselves to debate of that message, wherein they had been interrupted, by his majesty’s denial of the ordinance concerning the same ; because it would have been in vain for them to labour in other things, and in the mean time to leave themselves naked to the malice of so many enemies, both at home and abroad ; yet they had not been altogether negligent of those things, which his majesty had been pleased to propound in that message : they had agreed upon a book of rates in a larger proportion, than had been granted to any of his majesty’s predecessors, which was a considerable support of his majesty’s public charge ; and had likewise prepared divers propositions, and bills, for preservation of their religion and liberties, which they intended shortly to present to his majesty ; and to do whatsoever was fit for them, to make up that unpleasant breach between his majesty and the parliament.

“ Whereas divers exceptions had been taken concerning the militia ; first, that his majesty never denied the thing, but accepted the persons, (except for corporations,) only that he denied the way ; to which they answered, that that exception took off London, and all other great towns and cities, which makes a great part of the kingdom ; and for the way of ordinance, it is ancient, more speedy, more easily alterable, and, in all these and other respects, more proper, and more applicable to the present occasion, than a bill ; which his majesty called the good old way of imposing upon the subjects. It should seem, that neither his majesty’s royal predecessors, nor their ancestors, had heretofore been of that opinion ; 37 Edw. III. they said, they found this record : The chancellor made declaration of the challenge of the parliament ; the king desires to know the griefs of his subjects, and to redress enormities. The last day

“ of the parliament, the king demanded of the whole estates, whether they would have such things as they agreed on, by way of ordinance, or statute ? who answered, by way of ordinance, for that they might amend the same at their pleasures ; and so it was.

“ But his majesty objected further, that there was somewhat in the preface, to which he could not consent with justice to his honour and innocence ; and that thereby he was excluded from any power in the disposing of it. These objections, they said, might seem somewhat, but indeed would appear nothing, when it should be considered, that nothing in the preamble laid any charge upon his majesty, or in the body of the ordinance, that excludes his royal authority in the disposing or execution of it : but only it was provided, that it should be signified by both houses of parliament, as that channel, through which it would be best derived, and most certainly to those ends for which it was intended ; and let all the world judge whether they had not reason to insist upon it, that the strength of the kingdom should rather be ordered according to the advice or direction of the great council of the land, intrusted by the king, and by the kingdom, than that the safety of the king, parliament, and kingdom, should be left at the devotion of a few unknown counsellors, many of them not intrusted at all by the king in any public way, nor at all confided in by the kingdom.

“ They wished the danger were not imminent, or not still continuing, but could not conceive, that the long time spent in that debate was evidence sufficient, that there was no such necessity or danger, but a bill might easily have been prepared ; for, when many causes do concur to the danger of a state, the interruption of any one might hinder the execution of the rest, and yet the design be still kept on foot, for better opportunities. Who knew, whether the ill success of the rebels in Ireland had not hindered the insurrection of the papists here ? Whether the preservation of the six members of the parliament, falsely accused, had not prevented that plot of the breaking the neck of this parliament, of which they were informed from France, not long before they were accused ; yet since his majesty had been pleased to express his pleasure rather for a bill, than an ordinance, and that he sent in one for that purpose, they readily entertained it ; and, with some small and necessary alterations, speedily passed the same. But contrary to the custom of parliament, and their expectation, grounded upon his majesty’s own invitation of them to that way, and the other reasons manifested in their declaration concerning the militia, of the fifth of May, instead of the royal assent, they met with an absolute refusal.

“ For their votes of the fifteenth and sixteenth of March, they said, if the matter of those votes were according to law, they hoped his majesty would allow the subjects to be bound by them, because he had said, he would make the law the rule of his power ; and if the question were, whether that were law, which the lords and commons had once declared to be so, who should be the judge ? Not his majesty ; for the king judgeth not of matters of law, but by his courts ; and his courts, though sitting by his authority,



"expected not his assent in matters of law: not any other courts; for they could not judge in that case, because they were inferior, no appeal lying to them from parliament, the judgment whereof is, in the eye of the law, the king's judgment in his highest court, though the king in his person be neither present, nor assenting thereunto.

"*The votes at which his majesty took exception were these:*

1. "That the king's absence so far remote from his parliament, was not only an obstruction, but might prove a destruction to the affairs of Ireland.

2. "That when the lords and commons shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, was a high breach of the privilege of parliament.

3. "That those persons, who advised his majesty to absent himself from the parliament, are enemies to the peace of the kingdom, and justly may be suspected to be favourers of the rebellion in Ireland.

4. "That the kingdom had been of late, and still was, in so eminent danger, both from enemies abroad, and a popish and discontented party at home, that there was an urgent and inevitable necessity of putting his majesty's subjects into a posture of defence, for the safeguard both of his majesty and his people.

5. "That the lords and commons, fully apprehending this danger, and being sensible of their own duty, to provide a suitable prevention, had, in several petitions, addressed themselves to his majesty, for the ordering and disposing the militia of the kingdom in such a way, as was agreed, by the wisdom of both houses, to be most effectual, and proper for the present exigence of the kingdom, yet could not obtain it; but his majesty did, several times, refuse to give his royal assent thereunto.

6. "That, in this case of extreme danger, and his majesty's refusal, the ordinance of parliament, agreed upon by both houses, for the militia, doth oblige the people, and ought to be obeyed, by the fundamental laws of this kingdom.

"By all which, they said, it did appear, that there had been no colour of that tax, that they went about to introduce a new law, much less to exercise an arbitrary power, but indeed to prevent it: for this law was as old as the kingdom; that the kingdom must not be without a means to preserve itself; which that it might be done without confusion, this nation had intrusted certain hands with a power to provide, in an orderly and regular way, for the good and safety of the whole; which power, by the constitution of the kingdom, was in his majesty, and in his parliament together: yet since the prince, being but one person, is more subject to accidents of nature and chance, whereby the commonwealth may be deprived of the fruit of that trust, which was, in part, reposed in him; in cases of such necessity, that the kingdom may not be enforced presently to return to its first principles, and every man left to do what is right in his own eyes, without either guide or rule; the wisdom of this state

"hath intrusted the houses of parliament with a power to supply what should be wanting on the part of the prince, as is evident by the constant custom and practice thereof, in cases of nonage, natural disability, and captivity; and the like reason doth and must hold for the exercise of the same power in such cases, where the royal trust cannot be, or is not discharged, and that the kingdom runs an evident and imminent danger thereby; which danger having been declared by the lords and commons in parliament, there needs not the authority of any person or court to affirm, nor is it in the power of any person or court to revoke that judgment.

"They said, they knew the king had ways enough, in his ordinary courts of justice, to punish such seditious pamphlets and sermons, as were any ways prejudicial to his rights, honour, and authority; and if any of them had been so insolently violated and vilified, his majesty's own council and officers had been to blame, and not the parliament: they never had restrained any proceedings of that kind in other courts, nor refused any fit complaint to them. The Protestation Protested had been referred by the commons' house to a committee, and, the author being not produced, the printer committed to prison, and the book voted by that committee to be burned; but sir Edward Deering, who was to make that report of the votes of that committee, neglected to make it. The Apprentices' Protestation was never complained of: but the other seditious pamphlet, *To your tents, O Israel*, was once questioned, and the full prosecution of it was not interrupted by any fault of either house, whose forwardness to do his majesty all right therein might plainly appear, in that a committee of lords and commons was purposely appointed, to take such informations as the king's council should present concerning seditious words, practices, or tumults, pamphlets or sermons, tending to the derogation of his majesty's rights or prerogative, and his council had been enjoined by that committee, to inquire and present them; who several times met thereupon, and received this answer and declaration from the king's council, that they knew of no such thing as yet.

"They said, if his majesty had used the service of such a one in penning that answer, who understood the laws and government of this kingdom, he would not have thought it legally in his power to deny his parliament a guard, when they stood in need of it; since every ordinary court hath it: neither would his majesty, if he had been well informed of the laws, have refused such a guard as they desired, it being in the power of inferior courts to command their own guard; neither would he have imposed upon them such a guard, under a commander which they could not have confided in; which is clearly against the privileges of parliament, and of which they found very dangerous effects; and therefore desired to have it discharged; but such a guard, and so commanded, as the houses of parliament desired, they could never obtain of his majesty; and the placing a guard about them, contrary to their desire, was not to grant a guard to them, but in effect to set one upon them: all which considered, they believed, in the judgment of any indifferent persons, it would

“not be thought strange, if there were a more  
 “than ordinary resort of people at Westminster,  
 “of such as came willingly, of their own accord,  
 “to be witnesses and helpers of the safety of  
 “them, whom all his majesty’s good subjects are  
 “bound to defend from violence and danger; or  
 “that such a concourse as that (they carrying  
 “themselves quietly and peaceably, as they did)  
 “ought in his majesty’s apprehension, or could,  
 “in the interpretation of the law, be held tu-  
 “multuary and seditious.

“They said, when his majesty, in that question  
 “of violation of the laws, had expressed the obser-  
 “vation of them indefinitely, without any limita-  
 “tion of time, although they never said, or thought  
 “any thing, that might look like a reproach to his  
 “majesty, yet they had reason to remember that  
 “it had been otherwise, lest they should seem to  
 “desert their former complaints, and proceedings  
 “thereupon, as his majesty did seem but little to  
 “like or approve of them: for though he did ac-  
 “knowledge here that great mischief, that grew  
 “by that arbitrary power then complained of; yet  
 “such were continually preferred and counte-  
 “nanced, as were friends or favourers, or related  
 “unto the chief authors and actors of that arbi-  
 “trary power, and of those false colours, and  
 “suggestions of imminent danger and necessity,  
 “whereby they did make it plausible unto his  
 “majesty: and, on the other side, such as did ap-  
 “pear against them were daily discountenanced  
 “and disgraced: which whilst it should be so,  
 “they had no reason to believe the disease to be  
 “yet killed, and dead at root, and therefore no  
 “reason to bury it in oblivion; and, whilst they  
 “beheld the spawns of those mischievous princi-  
 “ples cherished and fostered in that new genera-  
 “tion of counsellors, friends, and abettors of the  
 “former, or at least concurring with them in their  
 “malignancy against the proceedings of this par-  
 “liament, they could not think themselves secure  
 “from the like, or a worse danger.

“They observed, the penner of his majesty’s  
 “answer bestowed here an admonition upon the  
 “parliament, bidding them take heed they fell not  
 “upon the same error, upon the same suggestions;  
 “but, they said, he might well have spared that,  
 “till he could have shewed wherein they had exer-  
 “cised any power, otherwise than by the rule of  
 “the law; or could have found a more authentic,  
 “or a higher judge in matters of law, than the  
 “high court of parliament.

“It was declared, in his majesty’s name, that  
 “he resolved to keep the rule himself, and, to his  
 “power, to require the same of all others. They  
 “said, they must needs acknowledge, that such a  
 “resolution was like to bring much happiness and  
 “blessing to his majesty, and all his kingdoms;  
 “yet, with humility, they must confess, they had  
 “not the fruit of it in that case of the lord Kim-  
 “bolton, and the other five members, accused con-  
 “trary to law, both common law and the statute  
 “law; and yet remained unsatisfied: which case  
 “had been remembered, in their declaration, as a  
 “strange and unheard of violation of their laws:  
 “but the penner of that answer thought fit to  
 “pass it over, hoping that many would read  
 “his majesty’s answer, which had been so care-  
 “fully dispersed, who would not read their de-  
 “claration.

“Whereas, after their ample thanks and ac-

“knowledge of his majesty’s favour in passing  
 “many good bills, they had said, that truth and  
 “necessity enforced them to add this, that in or  
 “about the time of passing those bills, some design  
 “or other had been on foot, which, if it had taken  
 “effect, would not only have deprived them of the  
 “fruit of those bills, but would have reduced them  
 “to a worse condition of confusion, than that  
 “wherein the parliament found them: it was now  
 “told them, that the king must be most sensible  
 “of what they cast upon him, for requital of those  
 “good bills; whereas, out of their usual tender-  
 “ness of his majesty’s honour, they did not men-  
 “tion him at all; but so injurious, they said, were  
 “those wicked counsellors to the name and honour  
 “of their master and sovereign, that, as much as  
 “they could, they laid their own infamy and guilt  
 “upon his shoulders.

“Here, they observed, God also was called to  
 “witness his majesty’s upright intentions at the  
 “passing of those laws; which, they said, they  
 “would not question, neither did they give any  
 “occasion of such a solemn asseveration as that  
 “was; the Devil was likewise defied to prove  
 “there was any design, with his majesty’s know-  
 “ledge or privity. That might well have been  
 “spared; for they spake nothing of his majesty:  
 “but since they were so far taxed, as to have it  
 “affirmed, that they had laid a false and notorious  
 “imputation upon his majesty, they thought it  
 “necessary, for the just defence of their own inno-  
 “cency, to cause the oaths and examinations,  
 “which had been taken, concerning the design, to  
 “be published in a full narration, for satisfaction  
 “of all his majesty’s subjects; out of which they  
 “would now offer some few particulars, whereby  
 “the world might judge, whether they could pro-  
 “ceed with more tenderness towards his majesty,  
 “than they had done. Mr. Goring confessed,  
 “that the king first asked him, whether he were  
 “engaged in any cabal concerning the army? and  
 “commanded him to join with Mr. Percy, and  
 “Mr. Jermyn, and some others whom they should  
 “find at Mr. Percy’s chamber; where they took  
 “the oath of secrecy, and then debated of a design  
 “proposed by Mr. Jermyn, to secure the Tower,  
 “and to consider of bringing up the army to  
 “London: and captain Leg confessed, he had re-  
 “ceived the draught of a petition, in the king’s  
 “presence; and his majesty acknowledgeth, it  
 “was from his own hand: and whosoever reads  
 “the sum of that petition, as it was proved by the  
 “testimony of sir Jacob Ashley, sir John Conyers,  
 “and captain Leg, will easily perceive some points  
 “in it, apt to beget in them some discontents  
 “against the parliament. And could any man  
 “believe there was no design in the accusation of  
 “the lord Kimbolton, and the rest, in which his  
 “majesty doth avow himself to be both a com-  
 “mander and an actor? These things being so,  
 “it would easily appear to be as much against the  
 “rules of prudence, that the penner of that answer  
 “should entangle his majesty in that unnecessary  
 “apology, as it was against the rules of justice,  
 “that any reparation from them should be either  
 “yielded or demanded.

“It was professed, in his majesty’s name, that  
 “he is truly sensible of the burdens of his people;  
 “which made them hope that he would take that  
 “course, which would be most effectual to ease  
 “them of those burdens; that was, to join with his

“parliament in preserving the peace of the kingdom, which, by his absence from them, had been much endangered; and which, by hindering the voluntary adventures for the recovery of Ireland, and disabling the subjects to discharge the great tax imposed on them, was like to make the war much more heavy to the kingdom. And for his majesty’s wants, the parliament had been no cause of them; they had not diminished his just revenue, but had much eased his public charge, and somewhat his private; and they should be ready, in a parliamentary way, to settle his revenue in such an honourable proportion, as might be answerable to both, when he should put himself into such a posture of government, that his subjects might be secure to enjoy his just protection for their religion, laws, and liberties.

“They said, they never refused his majesty’s gracious offer, of a free and general pardon; only they said, it could be no security to their present fears and jealousies: and they gave a reason for it; that those fears did not arise out of any guilt of their own actions, but out of the evil designs and attempts of others; and they left the world to judge, whether they therein had deserved so heavy a tax and exclamation? (That it was a strange world, when princes’ proffered favours were counted reproaches: such were the words of his majesty’s answer,) who did esteem that offer as an act of princely grace and bounty, which, since the parliament began, they had humbly desired they might obtain, and did still hold it very necessary and advantageous for the generality of the subject, upon whom the taxes and subsidies lie heaviest: but, they said, they saw, upon every occasion, how unhappy they were in his majesty’s misapprehensions of their words and actions.

“They said, they were fully of the king’s mind, as it was there declared, that he might rest so secure of the affections of his subjects, that he should not stand in need of foreign force to preserve him from oppression; and were confident, that he should never want an abundant evidence of the good wishes and assistance of his whole kingdom; especially if he would be pleased to hold to that gracious resolution of building upon that sure foundation, the law of the land: but why his majesty should take it ill, that they, having received informations so deeply concerning the safety of the kingdom, and should think them fit to be considered of, they could not conceive; for although the name of the person was unknown, yet that which was more substantial to the probability of the report was known, that is, that he was servant to the lord Digby; who, in his presumptuous letter to the queen’s majesty, and other letters to sir Lewis Dives, had intimated some wicked proposition, suitable to that information; but that this should require reparation, they held it as far from justice, as it was from truth, that they had mixed any malice with those rumours, thereby to feed the fears and jealousies of the people.

“It was affirmed, that his majesty was driven from them, but not by them; yet perchance, they said, hereafter, if there should be opportunity of gaining more credit, there would not be wanting who would suggest unto his majesty, that it was done by them: and if his majesty were driven from them, they hoped it was not

“by his own fears, but by the fears of the lord Digby, and his retinue of cavaliers; and that no fears of any tumultuary violence, but of their just punishment for their manifold insolence, and intended violence against the parliament: and this was expressed by the lord Digby himself, when he told those cavaliers, that the principal cause of his majesty’s going out of town, was to save them from being trampled in the dirt: but of his majesty’s person there was no cause of fear; in the greatest heat of the people’s indignation, after the accusation, and his majesty’s violent coming to the house, there was no show of any evil intention against his regal person; of which there could be no better evidence than this, that he came the next day without a guard into the city, where he heard nothing but prayers and petitions, no threatenings, or irreverent speeches, that might give him any just occasions of fear, that they had heard of, or that his majesty expressed; for he staid near a week after at Whitehall, in a secure and peaceable condition: whereby they were induced to believe, that there was no difficulty, or doubt at all, but his majesty’s residence near London might be as safe, as in any part of the kingdom. They said, they were most assured of the faithfulness of the city and suburbs; and for themselves, they should quicken the vigour of the laws, the industry of the magistrate, the authority of parliament, for the suppressing of all tumultuary insolencies whatsoever, and for the vindicating of his honour from all insupportable and insolent scandals, if any such shall be found to be raised upon him, as were mentioned in that answer: and therefore they thought it altogether unnecessary, and exceeding inconvenient, to adjourn the parliament to any other place.

“Where the desire of a good understanding betwixt the king and the parliament was on both sides so earnest, as was there professed by his majesty to be in him, and they had sufficiently testified to be in themselves, it seemed strange they should be, they said, so long asunder; it could be nothing else but evil and malicious counsel misrepresenting their carriage to his majesty, and in disposing his favour to them. And as it should be far from them to take any advantage of his majesty’s supposed straits, as to desire, much less to compel him to that, which his honour or interest might render unpleasant, or grievous to him; so, they hoped, his majesty would not make his own understanding or reason the rule of his government; but would suffer himself to be assisted with a wise and prudent council, that might deal faithfully betwixt him and his people: and that he would remember, that his resolutions did concern kingdoms; and therefore ought not to be moulded by his own, much less by any other private person, which was not alike proportionable to so great a trust: and therefore they still desired and hoped, that his majesty would not be guided by his own understanding, or to think those courses, straits and necessities, to which he should be advised by the wisdom of both houses of parliament, which are the eyes in this politic body, whereby his majesty was, by the constitution of the kingdom, to discern the differences of those things, which concern the public peace and safety thereof.

“They said, they had given his majesty no cause

"to say, that they did meanly value the discharge of his public duty; whatsoever acts of grace or justice had been done, they proceeded from his majesty by the advice and counsel of his parliament, yet they had and should always answer them with constant gratitude, obedience, and affection; and although many things had been done, since this parliament, of another nature, yet they should not cease to desire the continued protection of Almighty God upon his majesty, and most humbly petition him to cast from him all those evil and contrary counsels, which had, in many particulars formerly mentioned, much detracted from the honour of his government, the happiness of his own estate, and prosperity of his people.

"And having passed so many dangers from abroad, so many conspiracies at home, and brought on the public work so far, through the greatest difficulties that ever stood in opposition to a parliament, to such a degree of success, that nothing seemed to be left in the way able to hinder the full accomplishment of their desires, and endeavours for the public good, unless God in his justice did send such a grievous curse upon them, as to turn the strength of the kingdom against itself, and to effect that by their own folly and credulity, which the power and subtilty of their enemies could not attain, that was, to divide the people from the parliament, and to make them serviceable to the ends and aims of those who would destroy them: therefore they desired the kingdom to take notice of that last most desperate and mischievous plot of the malignant party, that was acted and prosecuted in many parts of the kingdom, under plausible notions of stirring them up to a care of preserving the king's prerogative; maintaining the discipline of the church; upholding and continuing the reverence and solemnity of God's service; [and] encouraging of learning: and, upon those grounds, divers mutinous petitions had been framed in London, Kent, and other counties; and sundry of his majesty's subjects had been solicited to declare themselves for the king against the parliament; and many false and foul aspersions had been cast upon their proceedings, as if they had been not only negligent, but averse in those points; whereas they desired nothing more, than to maintain the purity and power of religion, and to honour the king in all his just prerogatives; and for encouragement and advancement of piety and learning, they had very earnestly endeavoured, and still did, to the uttermost of their power, that all parishes might have learned, pious, and sufficient preachers, and all such preachers, competent livings.

"Other bills and propositions, they said, were in preparation, for the king's profit and honour, the people's safety and prosperity; in the proceedings whereof, they were much hindered by his majesty's absence from the parliament; which was altogether contrary to the use of his predecessors, and the privilege of parliament, whereby their time was consumed by a multitude of unnecessary messages, and their innocence wounded by causeless and sharp invectives; yet they doubted not but they should overcome all this at last, if the people suffer not themselves to be deluded with false and specious shows, and so drawn to betray them to their own un-

doing, who had ever been willing to hazard the undoing of themselves, that they might not be betrayed, by their neglect of the trust reposed in them: but if it were possible they should prevail herein, yet they would not fail, through God's grace, still to persist in their duties, and to look beyond their own lives, estates, and advantages, as those who think nothing worth the enjoying without the liberty, peace, and safety of the kingdom; nor any thing too good to be hazarded in discharge of their consciences, for the obtaining of it: and should always repose themselves upon the protection of Almighty God, which, they were confident, should never be wanting to them, (while they sought his glory,) as they had found it, hitherto, wonderfully going along with them, in all their proceedings."

With this declaration they published the examinations of Mr. Goring, Mr. Percy's letter to the earl of Northumberland; which were the great evidence they had of the plot of bringing up the army, to awe the parliament; and several other letters and depositions, or rather such parts of depositions, as contributed most to their purpose. For the truth is, as they never published, so much as to the houses which were to judge, many depositions of witnesses, whose testimonies, in a manner, vindicated the king from those aspersions, which they had a mind should stick upon him, (for many such there were,) so of those which they did publish, they left out many parts, which, being added, would either have obscured, or contradicted, or discredited much of that, out of which they made the people believe much to the king's disservice. And yet with all those ill arts and omissions, I presume many, who without passion do now read those depositions, (for they are in all hands to be read,) do much marvel how such conclusions could result to his majesty's disadvantage, out of the worst part of all that evidence; which could not naturally carry that sense to which it was wrested.

About this time (which I shall mention before the other declaration, because it intervened) there happened an accident that gave them much trouble, and the more, because unlooked for, by the lord keeper's quitting them, and resorting to York, by which the king got the possession of his own great seal; which by all parties was, at that time, thought a most considerable advantage. The king was very much unsatisfied with the lord keeper Littleton; who did not appear so useful for his service as he expected, and, from the time of the accusing the members, had lost all his vigour, and, instead of making any oppositions to any of their extravagant debates, he had silently suffered all things to be carried; and had not only declined the performing the office the king had enjoined him, with reference to the earls of Essex and Holland, (before mentioned,) but very much complied with and courted that party of both houses, which frequently resorted to him; and of late in a question, which had been put in the house of peers, in the point of the militia, he had given his vote both against the king and the law, to the infinite offence and scandal of all those who adhered to the king.

He was a man of great reputation in the profession of the law; for learning, and all other advantages, which attend the most eminent men; he was of a very good extraction in Shropshire, and inherited a fair fortune, and inheritance from his father; he was a handsome and a proper man, of a very

graceful presence, and notorious for courage, which, in his youth, he had manifested with his sword; he had taken great pains in the hardest and most knotty parts of the law, as well as that which was more customary; and was not only very ready and expert in the books, but exceedingly versed in records, in studying and examining whereof, he had kept Mr. Selden company, with whom he had great friendship, and who had much assisted him; so that he was looked upon as the best antiquary of the profession, who gave himself up to practice; and, upon the mere strength of his own abilities, he had raised himself into the first rank of the practisers in the common law courts, and was chosen recorder of London before he was called to the bench, and grew presently into the highest practice in all the other courts, as well as those of the law. When the king looked more narrowly into his business, and found that he should have much to do in Westminster-hall, he removed an old, useless, illiterate person, who had been put into that office by the favour of the duke of Buckingham, and made Littleton his solicitor general, much to his honour, but not to his profit; the obligation of attendance upon that office depriving him of much benefit he used to acquire by his practice, before he had that relation. Upon the death of the lord Coventry, and Finch being made keeper, he was made chief justice of the common pleas, then the best office of the law, and that which he was wont to say, in his highest ambition, in his own private wishes, he had most desired; and it was indeed the sphere in which he moved most gracefully, and with most advantage, being a master of all that learning and knowledge, which that place required, and an excellent judge, of great gravity, and above all suspicion of corruption.

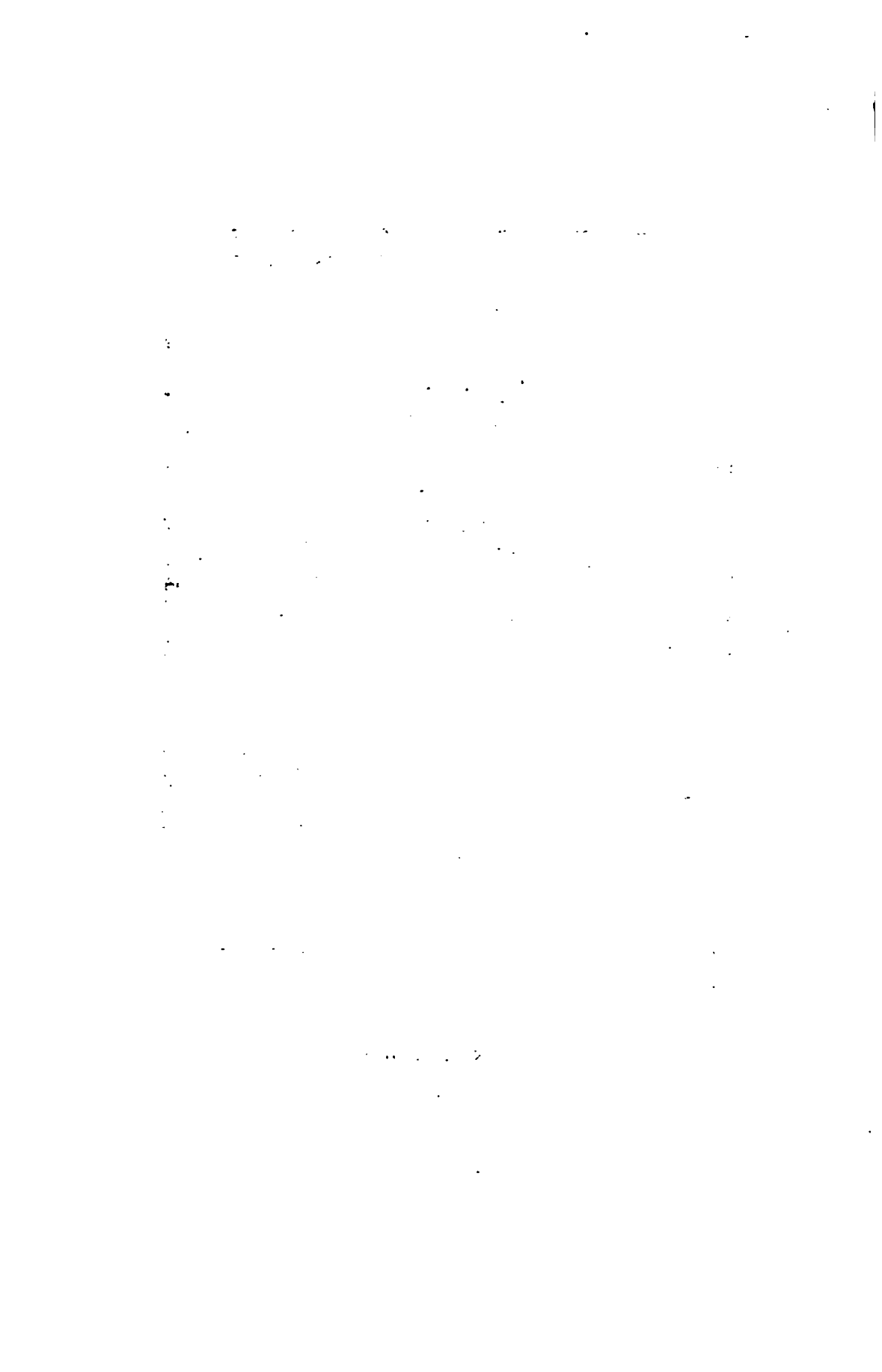
Whilst he held this place, he was by the favour of the archbishop of Canterbury, and the earl of Strafford, who had a great esteem of him, recommended to the king to be called to the council table, where he kept up his good name; and, upon the lord Finch's leaving the kingdom, in the beginning of the parliament, he was thought, in many respects, to be the fittest to be intrusted in that office; and, upon the desire of the earl of Strafford, after he was in the Tower, was created a baron, out of expectation that, by his authority and knowledge of the law, he would have been of great use in restraining those extraordinary and unwarrantable proceedings: but, from the time he had the great seal, he seemed to be out of his element, and in some perplexity and irresolution in the chancery itself, though he had great experience in the practice and proceedings of that court; and made not that despatch, that was expected, at the council table; and in the parliament he did not preserve any dignity; and appeared so totally dispirited, that few men shewed any respect to him, but they who most opposed the king, who indeed did exceedingly apply themselves to him, and were with equal kindness received by him. This wonderful alteration in him, his friends believed to have proceeded from a great sickness, which had seized upon him very soon after he was created a baron, inasmuch as every man believed he would die; and by this means, he did not attend the house in some months; and so performed none of those offices toward the earl of Strafford, the expectation whereof had been the sole motive to that promotion: from that time he never did appear the same

man; but sure there were other causes for it, and he was possessed with some melancholy apprehensions, which he could not master, and had no friend to whom he durst entirely communicate [them].

Mr. Hyde, one of those who was most trusted by the king in the house of commons, and had always had a great respect for the keeper, was as much troubled at his behaviour, as any man; and using frequently to go to him, went upon that occasion; and with great freedom and plainness told him, "how much he had lost the esteem of all good men, and that the king could not but be exceedingly dissatisfied with him;" and discoursed over the matter of that vote. Though he did not know, that the king did at that time put so great a secret trust in Mr. Hyde, yet he knew well, that the king had a very good opinion of him, and had heard his majesty often, from the beginning of the parliament, when the discourse happened to be of the lawyers of the house, take occasion from thence to mention Mr. Hyde, as a man of whom he heard very well; which the keeper had many times taken notice of to him: and then he knew the friendship that was between the lord Falkland and him [Mr. Hyde], and had heard the many jealousies which were contracted, upon the great communication he had with the two new counsellors; and so no doubt believed, that he knew much of the king's mind. And so as soon as he had entered upon this discourse, which he heard with all attention, (they being by themselves in his study at Exeter house,) he rose from his chair, and went to the door; and finding some persons in the next room, he bade them to withdraw; and so locking both the door of that room, and of his study, he sat down himself, and making Mr. Hyde sit down in another chair, he began "with giving him many thanks for his friendship to him, which, he said, he had ever esteemed, and he could not more manifest the esteem he had of it and him, than by using that freedom again with him, which he meant to do. Then he lamented his own condition; and that he had been preferred from the common pleas, where he knew both the business and the persons he had to deal with, to the other high office he now held, which obliged him to converse and transact with another sort of men, who were not known to him, and in affairs which he understood not, and had not one friend amongst them, with whom he could confer upon any doubt which occurred to him."

He spake then of the unhappy state and condition of the king's business; how much he had been, and was still, betrayed by persons who were about him; and with all possible indignation against the proceedings of the parliament; and said, "they would never do this, if they were not resolved to do more: that he knew the king too well, and observed the carriage of particular men too much, and the whole current of public transactions these last five or six months, not to foresee that it could not be long before there would be a war between the king and the two houses; and of the importance, in that season, that the great seal should be with the king." Then he fell into many expressions of his duty and affection to the king's person, as well as to his high degree: and "that no man should be more ready to perish with and for his majesty, than he would be;





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**JOHN SELDEN.**

**OB. 1654**

**FROM THE ORIGINAL OF MYTENS IN  
THE BODLEIAN GALLERY, OXFORD**





"that the prospect he had of this necessity had made him carry himself towards that party with so much compliance, that he might be gracious with them, at least, that they might have no distrust of him; which, he knew, many had endeavoured to infuse into them; and that there had been a consultation within few days, whether, in regard he might be sent for by the king, or that the seal might be taken from him, it would not be best to appoint the seal to be kept in some such secure place, as that there might be no danger of losing it; and that the keeper should always receive it, for the execution of his office; they having no purpose to disoblige him. And the knowledge he had of this consultation, and fear he had of the execution of it, had been the reason, why, in the late debate upon the militia, he had given his vote in such a manner, as, he knew, would make very ill impressions with the king, and many others who did not know him very well; but that, if he had not, in that point, submitted to their opinion, the seal had been taken from him that night; whereas by this compliance in that vote, which could only prejudice himself, and not the king, he had gotten so much into their confidence, that he should be able to preserve the seal in his own hands, till the king required it; and then he would be as ready to attend upon his majesty with it."

Mr. Hyde was very well pleased with this discourse; and asked him, "whether he would give him leave, when there should be a fit occasion, that required it, to assure the king, that he would perform this service, when the king should require it?" He desired, "that he would do so, and pass his word for the performance of it, as soon as his majesty pleased;" and so they parted.

It was within very few days after, that the king, exceedingly displeased and provoked with the keeper's behaviour, sent an order to the lord Falkland, "to require the seal from him;" in which the king was very positive, though he was not resolved to what hand to commit it. His majesty wished them (for he always included the other two in such references) to consider, "whether he should give it to the lord chief justice Banks," (against whom he made some objection himself,) "or into the hands of Mr. Selden; and to send their opinion to him." The order was positive for the requiring it from the present officer, but they knew not how to advise for a successor. The lord [chief justice] Banks appeared to be as much afraid, as the other; and not thought equal to that charge, in a time of so much disorder; though, otherwise, he was a man of great abilities, and unblemished integrity: they did not doubt of Mr. Selden's affection to the king, but withal they knew him so well, that they concluded he would absolutely refuse the place, if it were offered to him. He was in years, and of a tender constitution; he had for many years enjoyed his ease, which he loved; was rich; and would not have made a journey to York, or have lain out of his own bed, for any preferment; which he had never affected.

Being all the three of one mind, that it would not be fit to offer it to the one or the other; hereupon Mr. Hyde told them the conference he had had with the keeper, and the professions he had made; and was very confident, that he would very

punctually perform it; and therefore proposed, that "they might, with their opinions of the other persons, likewise advise his majesty to suspend his resolution concerning the lord keeper, and rather to write kindly to him, to bring the seal to his majesty, instead of sending for the seal itself, and to cast him off;" and offered to venture his own credit with the king, upon the keeper's complying with his majesty's command. Neither of them were of his opinion; and had both no esteem of the keeper, nor believed that he would go to his majesty, if he were sent for, but that he would find some trick to excuse himself; and therefore were not willing, that Mr. Hyde should venture his reputation upon it. He desired them then "to consider how absolutely necessary it was, that the king should first resolve into what hand to put the seal, before he removed it; for that it could not be unemployed one hour, but that the whole justice of the kingdom would be out of order, and draw a greater and a juster clamour than had been yet: that there was as much care to be taken, that it should not be in the power of any man to refuse it, which would be yet more prejudicial to his majesty. He desired them above all, to weigh well, that the business consisted only in having the great seal in the place, where his majesty resolved to be; and if the keeper would keep his promise, and desired to serve and please the king, it would be unquestionably the best way, that he and the seal were both there: if, on the other side, he were not an honest man, and cared not for offending the king, he would then refuse to deliver it; and inform the lords of it; who would justify him for his disobedience, and reward and cherish him; and he must then hereafter serve their turn; the mischief whereof would be greater than could be easily imagined: and his [majesty's] own great seal should be every day used against him, nor would it be possible in many months to procure a new one to be made."

These objections appeared of weight to them; and they resolved to give an account of the whole to the king, and to expect his order: and both the lord Falkland and Mr. Hyde writ to his majesty, and sent their letters away that very night. The king was satisfied with the reasons, and was very glad that Mr. Hyde was so confident of the keeper; though, he said, he remained still in doubt; and resolved, "that he would, such a day of the week following, send for the keeper, and the seal;" and that it should be, as had been advised, upon a Saturday afternoon, as soon as the house of lords should rise; because then no notice could be taken of it till Monday. Mr. Hyde, who had continued to see the keeper frequently, and was confirmed in his confidence of his integrity, went now to him; and finding him firm to his resolution, and of the opinion, in regard of the high proceedings of the houses, that it should not be long deferred; he told him, "that he might expect a messenger the next week, and that he should once more see him, when he would tell him the day; and that he would then go himself away before him to York;" with which he was much pleased, and it was agreed between the three, that it was now time, that he should be gone (the king having sent for him some time before) after a day or two; in which time the declaration of the nineteenth of May would be passed.

On the Saturday following, between two and three of the clock in the afternoon, Mr. Elliot, a groom of the bedchamber to the prince, came to the keeper, and found him alone in the room where he used to sit, and delivered him a letter from the king in his own hand; wherein he required him, with many expressions of kindness and esteem, "to make haste to him; and if his indisposition" (for he was often troubled with gravel and sharpness of urine) "would not suffer him to make such haste upon the journey, as the occasion required, that he should deliver the seal to the person who gave him the letter; who, being a strong young man, would make such haste as was necessary; and that he might make his own journey, by those degrees which his health required." The keeper was surprised with the messenger, whom he did not like; and more when he found that he knew the contents of the letter, which, he hoped, would not have been communicated to any man who should be sent: he answered him with much reservation; and when the other with bluntness, as he was no polite man, demanded the seal of him, which he had not thought of putting out of his own hands; he answered him, "that he would not deliver it into any hands, but the king's:" but presently recollecting himself, and looking over his letter again, he quickly considered, that it would be hazardous to carry the seal himself such a journey; and that if by any pursuit of him, which he could not but suspect, he should be seized upon, the king would be very unhappily disappointed of the seal, which he had reason so much to depend upon; and that his misfortune would be wholly imputed to his own fault and infidelity, (which, without doubt, he abhorred with his heart;) and the only way to prevent that mischief, or to appear innocent under it, was to deliver the seal to the person trusted by the king himself to receive it; and so, without telling him any thing of his own purpose, he delivered the seal into his hands; and he forthwith put himself on his horse, and with wonderful expedition presented the great seal into his majesty's own hands, who was infinitely pleased with it, and with the messenger.

The keeper, that evening, pretended to be indisposed, and that he would take his rest early, and therefore that nobody should be admitted to speak with him: and then he called sergeant Lee to him, who was the sergeant who waited upon the seal, and in whom he had great confidence, as he well might; and told him freely, "that he was resolved, the next morning, to go to the king, who had sent for him; that he knew well how much malice he should contract by it from the parliament, which would use all the means they could to apprehend him; and he himself knew not how he should perform the journey, therefore he put himself entirely into his hands; that he should cause his horses to be ready against the next morning, and only his own groom to attend them, and he to guide the best way, and that he would not impart it to any other person." The honest sergeant was very glad of the resolution, and cheerfully undertook all things for the journey; and so sending the horses out of the town, the keeper put himself in his coach very early the next morning, and as soon as they were out of the town, he and the sergeant, and one groom, took their horses, and made so great a journey that day, it being about the beginning of

June, that before the end of the third day he kissed the king's hands at York.

He had purposely procured the house of peers to be adjourned to a later hour in the morning for Monday, than it used to be. Sunday passed without any man's taking notice of the keeper's being absent; and many, who knew that he was not at his house, thought he had been gone to Cranford, his country house, whither he frequently went on Saturday nights, and was early enough at the parliament on the Monday mornings; and so the lords the more willingly consented to the later adjournments for those days. But on Monday morning, when it was known when, and in what manner, he had left his house, the confusion in both houses was very great; and they who had thought that their interest was so great in him, that they knew all his thoughts, and had valued themselves, and were valued by others, upon that account, hung down their heads, and were even distracted with shame: however they could not but conclude, that he was out of their reach before the lords met; yet to shew their indignation against him, and it may be in hope that his infirmities would detain him long in the journey, (as nobody indeed thought that he could have performed it with that expedition,) they issued out such a warrant for the apprehending him, as had been in the case of the foulest felon or murderer; and printed it, and caused it to be dispersed, by expresses, over all the kingdom, with great haste. All which circumstances, both before and after the keeper's journey to York, are the more particularly and at large set down, out of justice to the memory of that noble person; whose honour suffered then much in the opinion of many, by the confident report of the person, who was sent for and received the seal, and who was a loud and a bold talker, and desired to have it believed, that his manhood had ravished the great seal from the keeper, even in spite of his teeth; which, how impossible soever in itself, found too much credit; and is therefore cleared by this very true and punctual relation, which in truth is but due to him.

But the trouble and distraction, which at this time possessed them, was visibly very great; and their dejection such, that the same day the lord of Northumberland (who had been of another temper) moved, "that a committee might be appointed, to consider how there might be an accommodation between the king and his people, for the good, happiness, and safety of both king and kingdom;" which committee was appointed accordingly.

This temper of accommodation troubled them not long, new warmth and vigour being quickly infused into them by the unbroken or undaunted spirits of the house of commons; which, to shew how little they valued the power or authority of the king, though supported by having now his great seal by him, on the twenty-sixth of May agreed on a new remonstrance to the people; in which, the lords concurring, they informed them,

"That although the great affairs of the kingdom, and the miserable bleeding condition of the kingdom of Ireland, afforded them little leisure to spend their time in declarations, and in answers, and replies, yet the malignant party about his majesty taking all occasions to multiply calumnies upon the houses of parliament, and to pub-

lish sharp invectives, under his majesty's name, against them, and their proceedings, (a new engine they had invented to heighten the distractions of this kingdom, and to beget and increase distrust and disaffection between the king, and his parliament, and the people,) they could not be so much wanting to their own innocency, or to the duty of their trust, as not to clear themselves from those false aspersions, and (which was their chiefest care) to disabuse the people's minds, and open their eyes, that, under the false shows, and pretexes of the law of the land, and of their own rights and liberties, they may not be carried into the road way, that leadeth to the utter ruin and subversion thereof. A late occasion that those wicked spirits of division had taken to defame, and indeed to arraign the proceedings of both houses of parliament, had been from their votes of the twenty-eighth of April, and their declaration concerning the business of Hull, which because they put forth, before they could send their answer concerning that matter unto his majesty, those mischievous instruments of dissension, between the king, and the parliament, and the people, whose chief labour and study was to misrepresent their actions to his majesty, and to the kingdom, would needs interpret this as an appeal to the people, and a declining of all intercourse between his majesty and them; as if they thought it to no purpose, to endeavour any more to give his majesty satisfaction; and, without expecting any longer their answer, under the name of a message from his majesty to both houses, they themselves had indeed made an appeal to the people, as the message itself did in a manner grant it to be, offering to join issue with them in that way, and in the nature thereof did clearly shew itself to be no other; therefore they would likewise address their answer to the kingdom, not by way of appeal, (as they were charged,) but to prevent them from being their own executioners, and from being persuaded under false colours of defending the law, and their own liberties, to destroy both with their own hands, by taking their lives, liberties, and estates out of their hands, whom they had chosen, and intrusted therewith, and resigning them up unto some evil counsellors, about his majesty, who could lay no other foundation of their own greatness, but upon the ruin of this, and, in it, of all parliaments; and, in them, of the true religion, and the freedom of this nation. And these, they said, were the men that would persuade the people, that both houses of parliament, containing all the peers and representing all the commons of England, would destroy the laws of the land, and liberties of the people; wherein, besides the trust of the whole, they themselves, in their own particulars, had so great an interest of honour and estate, that they hoped it would gain little credit with any, that had the least use of reason, that such, as must have so great a share in the misery, should take so much pains in the procuring thereof; and spend so much time, and run so many hazards to make themselves slaves, and to destroy the property of their estates. But that they might give particular satisfaction to the several imputations cast upon them, they would take them in order, as they were laid upon them in that message.

First, they were charged for the avowing that act of sir John Hotham; which was termed unparalleled, and an high and unheard of affront unto his majesty, and as if they needed not to have done it; he being able, as was alleged, to produce no such command of the houses of parliament. They said, although sir John Hotham had not an order, that did express every circumstance of that case, yet he might have produced an order of both houses, which did comprehend this case, not only in the clear intention, but in the very words thereof; which they knowing in their consciences to be so, and to be most necessary for the safety of the kingdom, they could not but in honour and justice avow that act of his; which, they were confident, would appear to all the world to be so far from being an affront to the king, that it would be found to have been an act of great loyalty to his majesty, and to his kingdom.

The next charge upon them was, that, instead of giving his majesty satisfaction, they published a declaration concerning that business, as an appeal to the people, and as if their intercourse with his majesty, and for his satisfaction, were now to no more purpose; which course was alleged to be very unagreeable to the modesty and duty of former times, and not warrantable by any precedents, but what themselves had made. They said, if the penner of that message had expected a while, or had not expected that two houses of parliament (especially burdened, as they were at that time, with so many pressing and urgent affairs) should have moved as fast as himself, he would not have said, that declaration was instead of an answer to his majesty; which they did despatch with all the speed and diligence they could, and had sent it to his majesty by a committee of both houses; whereby it appeared, that they did it not upon that ground, that they thought it was no more to any purpose, to endeavour to give his majesty satisfaction.

And as for the duty and modesty of former times, from which they were said to have varied, and to want the warrant of any precedents therein, but what themselves had made: if they had made any precedents this parliament, they had made them for posterity, upon the same, or better grounds of reason and law, than those were upon, which their predecessors first made for them: and as some precedents ought not to be rules for them to follow, so none could be limits to bound their proceedings; which might and must vary, according to the different condition of times. And for that particular, of setting forth declarations for the satisfaction of the people, who had chosen, and intrusted them with all that was dearest to them: if there were no example for it, it was because there were never any such monsters before, that ever attempted to disaffect the people from a parliament, or could ever harbour a thought that it might be effected. Were there ever such practices to poison the people with an ill apprehension of the parliament? Were there ever such imputations and scandals laid upon the proceedings of both houses? Were there ever so many and so great breaches of privilege of parliament? Were there ever so many and so desperate designs of force and violence against the parliament, and the members thereof? If

"they had done more than ever their ancestors had done, they said, they had suffered more than ever they had suffered; and yet, in point of modesty and duty, they would not yield to the best of former times; and they would put that in issue, whether the highest and most unwarrantable precedents of any of his majesty's predecessors did not fall short, and much below, what had been done to them this parliament? And, on the other side, whether, if they should make the highest precedents of other parliaments their patterns, there would be cause to complain of want of modesty and duty in them; when they had not so much as suffered such things to enter into their thoughts, which all the world knew they had put in act?

"Another charge which was laid very high upon them, and which were indeed a very great crime if they were found guilty thereof, was, that, by avowing that act of sir John Hotham, they did, in consequence, confound and destroy the title and interest of all his majesty's good subjects to their lands and goods; and that upon this ground; that his majesty had the same title to his town of Hull, which any of his subjects had to their houses or lands, and the same to his magazine and munition there, that any man had to his money, plate, or jewels: and, therefore, that they ought not to have been disposed of, without or against his consent, no more than the house, land, money, plate, or jewels, of any subject ought to be, without or against his will.

"Here, they said, that was laid down for a principle, which would indeed pull up the very foundation of the liberty, property, and interest of every subject in particular, and of all the subjects in general, if they should admit it for a truth, that his majesty had the same right and title to his towns, and to his magazines, (bought with the public monies, as they conceived that at Hull to have been,) that every particular man hath to his house, lands, and goods. For his majesty's towns were no more his own, than his kingdom was his own; and his kingdom was no more his own, than his people are his own; and if the king had a propriety in all his towns, what would become of the subjects' propriety in their houses therein? and if he had a propriety in his kingdom, what would become of the subjects' propriety in their lands throughout the kingdom? or of their liberties, if his majesty had the same right in their persons, that every subject hath in his lands and goods? and what would become of all the subjects' interests in the towns and forts of the kingdom, and in the kingdom itself, if his majesty might sell, or give them away, or dispose of them at his pleasure, as a particular man might do with his lands and with his goods? This erroneous maxim being infused into princes, that their kingdoms are their own, and that they may do with them what they will, as if their kingdoms were for them, and not they for their kingdoms, was, they said, the root of all the subjects' misery, and of the invading of their just rights and liberties; whereas, indeed, they are only intrusted with their kingdoms, and with their towns, and with their people, and with the public treasure of the commonwealth, and whatsoever is bought therewith; and, by the known law of this kingdom, the very jewels of the crown

"are not the king's proper goods, but are only intrusted to him for the use and ornament thereof: as the towns, forts, treasure, magazines, offices, and the people of the kingdom, and the whole kingdom itself is intrusted unto him, for the good, and safety, and best advantage thereof: and as this trust is for the use of the kingdom, so ought it to be managed by the advice of the houses of parliament, whom the kingdom hath trusted for that purpose; it being their duty to see it discharged according to the condition and true intent thereof; and as much as in them lies, by all possible means, to prevent the contrary; which, if it had been their chief care, and only aim, in the disposing of the town and magazine of Hull in such manner as they had done, they hoped it would appear clearly to all the world, that they had discharged their own trust, and not invaded that of his majesty's, much less his property; which, in that case, they could not do.

"But admitting his majesty had indeed had a property in the town and magazine of Hull; who doubted but that a parliament may dispose of any thing, wherein his majesty, or any subject, hath a right, in such a way, as that the kingdom may not be exposed to hazard or danger thereby? which was their case, in the disposing of the town and magazine of Hull. And whereas his majesty did allow this, and a greater power to a parliament, but in that sense only, as he himself was a part thereof; they appealed to every man's conscience, that had observed their proceedings, whether they disjoined his majesty from his parliament, who had in all humble ways sought his concurrence with them, as in that particular about Hull, and for the removal of the magazine there, so also in all other things; or whether those evil councils about him had not separated him from his parliament; not only in distance of place, but also in the discharge of the joint trust with them, for the peace and safety of the kingdom in that, and some other particulars.

"They had given no occasion to his majesty, they said, to declare with so much earnestness his resolution, that he would not suffer either, or both houses by their votes, without or against his consent, to enjoin any thing that was forbidden by the law, or to forbid any thing that was enjoined by the law; for their votes had done no such thing: and as they should be very tender of the law, (which they did acknowledge to be the safeguard and custody of all public and private interests,) so they would never allow a few private persons about the king, nor his majesty himself in his own person, and out of his courts, to be judge of the law, and that contrary to the judgment of the highest court of judicature. In like manner, that his majesty had not refused to consent to any thing, that might be for the peace and happiness of the kingdom, they could not admit it in any other sense, but as his majesty taketh the measure of what will be for the peace and happiness of his kingdom, from some few ill affected persons about him, contrary to the advice and judgment of his great council of parliament. And because the advice of both houses of parliament had, through the suggestions of evil counsellors, been so much undervalued of late, and so absolutely rejected and refused, they said, they held it fit to declare unto the kingdom, whose honour and interest was so much concerned in it,

" what was the privilege of the great council of parliament herein ; and what was the obligation that lay upon the kings of this realm, to pass such bills, as are offered to them by both houses of parliament, in the name, and for the good, of the whole kingdom, whereunto they stand engaged, both in conscience and in justice, to give their royal assent : in conscience, in regard of the oath, that is or ought to be taken by the kings of this realm at their coronation, as well to confirm by their royal assent such good laws, as the people shall choose, and to remedy by law such inconveniences, as the kingdom may suffer ; as to keep and protect the laws already in being ; as may appear both by the form of the oath upon record, and in books of good authority, and by the statute of the 25 of Edward III. entitled, the Statute of Provisors of Benefices ; the form of which oath, and the clause of the statute that concerneth it, are as followeth :

*Rot. Parliament. H. IV. N. 17.*

*Forma juramenti soliti, et consueti præstari per reges Angliæ in eorum coronatione.*

Servabis ecclesiæ Dei, cleroque, et populo, pacem ex integro, et concordiam in Deo, secundum vires tuas ?

*Respondēbit, Servabo.*

Facies fieri in omnibus judiciis tuis æquam, et rectam justitiam, et discretionem in misericordia et veritate, secundum vires tuas ?

*Respondēbit, Faciam.*

Concedis justas leges, et consuetudines esse tenendas ; et promittis per te eas esse protegendas, et ad honorem Dei corroborandas, quas vulgus elegerit, secundum vires tuas ?

*Respondēbit, Concedo et promitto.*

Adjicianturque prædictis interrogationibus quæ justa fuerint, prænuntiatiæque omnibus, confirmet rex se omnia servaturum, sacramento super altare præstito, coram cunctis.

*A clause in the preamble of a statute made the 25 Edw. III. entitled, the Statute of Provisors of Benefices.*

Whereupon the said commons have prayed our said lord the king, that sith the right of the crown of England, and the law of the said realm is such, that upon the mischiefs and damages, which happen to this realm, he ought, and is bound by his oath, with the accord of his people in his parliament, thereof to make remedy and law, and in removing the mischiefs and damages which thereof ensue, that it may please him thereupon to ordain remedy.

Our lord the king seeing the mischiefs and damages before mentioned, and having regard to the statute made in the time of his said grandfather, and to the causes contained in the same, which statute holdeth always his force, and was never defeated, repealed, nor annulled in any point, and by so much he is bounden by his oath to cause the same to be kept as the law of his realm, though that, by sufferance and negligence, it hath been sithence attempted to the contrary : also having

regard to the grievous complaints made to him by his people, in divers his parliaments holden heretofore, willing to ordain remedy for the great damages and mischiefs, which have happened, and daily do happen, to the church of England by the said cause :

" Here, they said, the lords and commons claim " it directly as the right of the crown of England, " and of the law of the land, and that the king is " bound by his oath, with the accord of his people " in parliament, to make remedy, and law, upon " the mischiefs and damages, which happen to this " realm ; and the king doth not deny it, although " he take occasion from a statute formerly made " by his grandfather, which was laid as part of the " grounds of this petition, to fix his answer upon " another branch of his oath, and pretermits that " which is claimed by the lords and commons ; " which he would not have done, if it might have " been excepted against.

" In justice, they said, they are obliged there- " unto, in respect of the trust reposed in them ; " which is as well to preserve the kingdom by the " making new laws, where there shall be need, as " by observing of laws already made ; a kingdom " being, many times, as much exposed to ruin for " the want of a new law, as by the violation of " those that are in being : and this is so clear a " right, that, no doubt, his majesty would acknow- " ledge it to be as due to his people, as his protec- " tion. But how far forth he was obliged to follow " the judgment of his parliament therein, that is " the question. And certainly, besides the words " in the king's oath, referring unto such laws as " the people shall choose, as in such things which " concern the public weal and good of the kingdom, " they are the most proper judges, who are sent " from the whole kingdom for that very purpose ; " so they did not find, that since laws have passed " by way of bills, (which are read thrice in both " houses, and committed ; and every part and cir- " cumstance of them fully weighed, and debated " upon the commitment, and afterwards passed in " both houses,) that ever the kings of this realm " did deny them, otherwise than is expressed in " that usual answer, *Le roy s'avisera* ; which sig- " nifies rather a suspension, than a refusal of the " royal assent. And in those other laws, which " are framed by way of petitions of right, the " houses of parliament have taken themselves to " be so far judges of the right claimed by them, " that when the king's answer hath not, in every " point, been fully according to their desire, they " have still insisted upon their claim, and never " rested satisfied, till such time as they had an " answer according to their demand ; as had been " done in the late Petition of Right, and in former " times upon the like occasion. And if the parlia- " ment be judge between the king and his people " in the question of right, (as by the manner in the " claim in petitions of right, and by judgments in " parliament, in cases of illegal impositions and " taxes, and the like, it appears to be,) why should " they not be so also, in the question of the common " good, and necessity of the kingdom ; wherein the " kingdom hath as clear a right also to have the " benefit and remedy of law, as in any thing what- " soever ? And yet they did not deny, but that in " private bills, and also in public acts of grace, as

"pardons, and the like grants of favour, his majesty might have a greater latitude of granting, or denying, as he should think fit.

"All this considered, they said, they could not but wonder, that the contriver of that message should conceive the people of this land to be so void of common sense, as to enter into so deep a mistrust of those, whom they have, and his majesty ought to repose so great a trust in, as to despair of any security in their private estates, by descents, purchases, assurances, or conveyances; unless his majesty should, by his vote, prevent the prejudice they might receive therein by the votes of both houses of parliament; as if they, who are especially chosen, and intrusted for that purpose, and who themselves must needs have so great a share in all grievances of the subject, had wholly cast off all care of the subject's good, and his majesty had solely taken it up; and as if it could be imagined, that they should, by their votes, overthrow the rights of descents, purchases, or of any conveyance or assurance, in whose judgment the whole kingdom hath placed all their particular interests, if any of them should be called in question, in any of those cases; and that (as not knowing where to place them with greater security) without any appeal from them to any other person or court whatsoever.

"But indeed they were very much to seek, how the case of Hull could concern descents and purchases, or conveyances and assurances; unless it were in procuring more security to men in their private interests, by the preservation of the whole from confusion and destruction; and much less did they understand how the sovereign power was resisted and despised therein. Certainly no command from his majesty, and his high court of parliament, (where the sovereign power resides,) was disobeyed by sir John Hotham; nor yet was his majesty's authority derived out of any other court, nor by any legal commission, or by any other way, wherein the law had appointed his majesty's commands to be derived to his subjects; and of what validity his verbal commands are, without any such stamp of his authority upon them, and against the order of both houses of parliament, and whether the not submitting thereunto be a resisting and despising of the sovereign authority, they would leave to all men to judge, that do at all understand the government of this kingdom.

"They acknowledged that his majesty had made many expressions of his zeal and intentions against the desperate designs of the papists; but yet it was also as true, that the counsels, which had prevailed of late with him, had been little suitable to those expressions and intentions. For what did more advance the open and bloody design of the papists in Ireland, (whereon the secret plots of the papists here did, in all likelihood, depend,) than his majesty's absenting himself, in that manner that he did, from his parliament; and setting forth such sharp invectives against them, notwithstanding all the humble petitions, and other means, which his parliament had addressed unto him, for his return, and for his satisfaction concerning their proceedings? And what was more likely to give a rise to the designs of the papists, (whereof there were so many in

"the north, near to the town of Hull,) and of other malignant and ill affected persons, (which were ready to join with them,) or to the attempts of foreigners from abroad, than the continuing of that great magazine at Hull, at this time, and contrary to the desire and advice of both houses of parliament? So that they had too much cause to believe, that the papists had still some way and means, whereby they had influence upon his majesty's counsels for their own advantage.

"For the malignant party, they said, his majesty needed not a definition of the law, nor yet a more full character of them from both houses of parliament, for to find them out, if he would please only to apply the character, that himself had made of them, to those, unto whom it doth properly and truly belong. Who are so much disaffected to the peace of the kingdom, as they that endeavour to disaffect his majesty from the houses of parliament, and persuade him to be at such a distance from them, both in place and affection? Who are more disaffected to the government of the kingdom, than such as lead his majesty away from hearkening to his parliament; which, by the constitution of the kingdom, is his greatest and best council; and persuade him to follow the malicious counsels of some private men, in opposing and contradicting the wholesome advices and just proceedings of that his most faithful council and highest court? Who are they, that not only neglect and despise, but labour to undermine the law, under colour of maintaining it, but they that endeavour to destroy the fountain and conservatory of the law, which is the parliament? And who are they that set up other rules for themselves to walk by, than such as are according to law, but they that will make other judges of the law than the law hath appointed; and so dispense with their obedience to that, which the law calleth authority, and to their determinations and resolutions, to whom the judgment doth appertain by law? For, when private persons shall make the law to be their rule according to their own understandings, contrary to the judgment of those that are the competent judges thereof, they set up unto themselves other rules than the law doth acknowledge. Who those persons were, none knew better than his majesty himself: and if he would please to take all possible caution of them, as destructive to the commonwealth and himself, and would remove them from about him, it would be the most effectual means to compose all the distractions, and to cure the distempers of the kingdom.

"For the lord Digby's letter, they said, they did not make mention of it as a ground to hinder his majesty from visiting his own fort; but they appealed to the judgment of any indifferent man, that should read that letter, and compare it with the posture that his majesty then did, and still doth, stand in towards the parliament, and with the circumstances of that late action of his majesty in going to Hull, whether the advisers of that journey intended only a visit of that fort and magazine?

"As to the ways and overtures of accommodation, and the message of the twentieth of January last, so often pressed, but still in vain, as was al-

“leged: their answer was, that although so often as that message of the twentieth of January had been pressed, so often had their privileges been clearly infringed, that a way and method of proceeding should be prescribed to them, as well for the settling of his majesty's revenue, as for the presenting of their own desires, (a thing, which, in former parliaments, had always been excepted against, as a breach of privilege,) yet, in respect to the matter contained in that message, and out of their earnest desire to beget a good understanding between his majesty and them, they swallowed down all matters of circumstance; and had ere that time presented the chief of their desires to his majesty, had they not been interrupted with continual denials, even of those things that were necessary for their present security and subsistence; and had not those denials been followed with perpetual invectives against them and their proceedings; and had not those invectives been heaped upon them so thick one after another, (who were in a manner already taken up wholly with the pressing affairs of this kingdom, and of the kingdom of Ireland,) that as they had little encouragement from thence, to hope for any good answers to their desires, so they had not so much time left them to perfect them in such a manner, as to offer them to his majesty.

“They confessed it a resolution most worthy of a prince, and of his majesty, to shut his ears against any that would incline him to a civil war; and to abhor the very apprehension of it. But they could not believe that mind to have been in them, that came with his majesty to the house of commons; or in them, that accompanied his majesty to Hampton-court, and appeared in a warlike manner at Kingston upon Thames; or in divers of them, who followed his majesty lately to Hull; or in them, who after drew their swords in York, demanding, *Who would be for the king?* nor in them, that advised his majesty to declare sir John Hotham a traitor, before the message was sent concerning that business to the parliament, or to make propositions to the gentlemen of the county of York to assist his majesty to proceed against him in a way of force, before he had, or possibly could receive an answer from the parliament, to whom he had sent to demand justice of them against sir John Hotham for that fact: and if those malignant spirits should ever force them to defend their religion, the kingdom, the privileges of parliament, and the rights and liberties of the subjects, with their swords; the blood, and destruction that should ensue thereupon, must be wholly cast upon their account; God and their own consciences told them, that they were clear; and they doubted not, but God and the whole world would clear them therein.

“For captain Leg, they had not said that he was accused, or that there was any charge against him, for the bringing up of the army; but that he was employed in that business. And for that concerning the earl of Newcastle, mentioned by his majesty, which was said to have been asked long since, and that it was not easy to be answered: they conceived it was a question of more difficulty, and harder to be answered, why, when his majesty held it necessary, upon the same grounds that first moved from the houses of parliament, that a governor should be placed in that

“town, sir John Hotham, a gentleman of known fortune and integrity, and a person of whom both houses of parliament had expressed their confidence, should be refused by his majesty; and the earl of Newcastle, (who, by the way, was so far named in the business of bringing up the army, that although there was not ground enough for a judicial proceeding, yet there was ground of suspicion; at least his reputation was not left so unblemished thereby, as that he should be thought the fittest man in England for that employment of Hull) should be sent down, in a private way, from his majesty to take upon him that government? And why he should disguise himself under another name, when he came thither, as he did? But whosoever should consider, together with those circumstances, that of the time when sir John Hotham was appointed, by both houses of parliament, to take upon him that employment, which was presently after his majesty's coming to the house of commons, and upon the retiring himself to Hampton-court, and the lord Digby's assembling of cavaliers at Kingston upon Thames, would find reason enough, why that town of Hull should be committed rather to sir John Hotham, by the authority of both houses of parliament, than to the earl of Newcastle, sent from his majesty in that manner that he was. And for the power that sir John Hotham had from the two houses of parliament, the better it was known and understood, they were confident the more it would be approved and justified: and as they did not conceive, that his majesty's refusal to have that magazine removed could give any advantage against him to have it taken from him; and as no such thing was done, so they could not conceive, for what other reason any should counsel his majesty, not to suffer it to be removed, upon the desire of both houses of parliament; except it were, that they had an intention to make use of it against them.

“They said, they did not except against those that presented a petition to his majesty at York, for the continuance of the magazine at Hull, in respect of their condition, or in respect of their number; because they were mean persons, or because they were few; but because they being but a few, and there being so many more in the county of as good quality as themselves, (who had, by their petition to his majesty, disavowed that act of theirs,) that they should take upon them the style of all the gentry, and inhabitants of that county; and, under that title, should presume to interpose their advice contrary to the votes of both houses of parliament: and, if it could be made to appear, that any of those petitions, that are said to have been presented to the houses of parliament, and to have been of a strange nature, were of such a nature as that, they were confident, that they were never received with their consent and approbation.

“Whether there was an intention to deprive sir John Hotham of his life, if his majesty had been admitted into Hull; and whether the information were such, as that he had ground to believe it, they would not bring into question; for that was not, nor ought to have been, the ground for doing what he did: neither was the number of his majesty's attendants, for being more or fewer, much considerable in this case; for although it



"were true, that if his majesty had entered with twenty horse only, he might happily have found means for to have forced the entrance of the rest of his train; who, being once in the town, would not have been long without arms; yet that was not the ground, upon which sir John Hotham was to proceed; but upon the admittance of the king into the town at all, so as to deliver up the town and magazine unto him, and to whomsoever he should give the command thereof, without the knowledge and consent of both houses of parliament, by whom he was intrusted to the contrary: and his majesty having declared that to be his intention concerning the town, in a message that he sent to the parliament, not long before he went to Hull; saying, that he did not doubt, but that town should be delivered up to him, whensoever he pleased, as supposing it to be kept against him; and in like manner concerning his magazine, in his message of the twenty-fourth of April, wherein it is expressed, that his majesty went thither, with a purpose to take into his hands the magazine, and to dispose of it in such manner, as he should think fit: upon those terms, sir John Hotham could not have admitted his majesty, and have made good his trust to the parliament, though his majesty would have entered alone, without any attendants at all of his own, or of the prince or duke, his sons; which they did not wish to be less than they were in their number, but could heartily wish that they were generally better in their conditions.

"In the close of that message, his majesty stated the case of Hull; and thereupon inferred, that the act of sir John Hotham was levying war against the king; and, consequently, that it was no less than high treason, by the letter of the statute of the 25 Edw. III. ch. 2, unless the sense of that statute were very far differing from the letter thereof.

"In the stating of that case, they said, divers particulars might be observed, wherein it was not rightly stated: as,

1. "That his majesty's going to Hull was only an endeavour to visit a town and fort of his: whereas it was indeed to possess himself of the town and magazine there, and to dispose of them, as he himself should think good, without, and contrary to the advice and orders of both houses of parliament; as did clearly appear by his majesty's own declaration of his intentions therein, by his messages to both houses, immediately before and after that journey. Nor could they believe, that any man, who should consider the circumstances of that journey to Hull, could think, that his majesty would have gone thither at that time, and in that posture that he was pleased to put himself in towards the parliament, if he had intended only a visit of the town and magazine.

2. "It was said to be his majesty's own town, and his own magazine, which being understood in that sense, as was before expressed, as if his majesty had a private interest of propriety therein, they could not admit it to be so.

3. "Which was the main point of all, sir John Hotham was said to have shut the gates against his majesty, and to have made resistance with armed men, in defiance of his majesty; whereas it was indeed in obedience to his majesty, and

"his authority, and for his service, and the service of the kingdom; for which use only, all that interest is, that the king hath in the town; and it is no further his to dispose of, than he useth it for that end: and sir John Hotham being commanded to keep the town and magazine, for his majesty and the kingdom, and not to deliver them up, but by his majesty's authority, signified by both houses of parliament, all that was to be understood by those expressions, of his denying and opposing his majesty's entrance, and telling him in plain terms, that he should not come in, was only this, that he humbly desired his majesty to forbear his entrance, till he might acquaint the parliament; and that his authority might come signified to him by both houses of parliament, according to the trust reposed in him. And certainly, if the letter of the statute of the 25 Edw. III. ch. 2, be thought to import this; that no war can be levied against the king, but what is directed and intended against his person, or that every levying of forces, for the defence of the king's authority, and of his kingdom, against the personal commands of the king opposed thereunto, though accompanied with his presence, is levying war against the king, it is very far from the sense of that statute; and so much the statute itself speaks, (besides the authority of book cases; precedents of divers traitors condemned upon that interpretation thereof.) For if the clause of levying of war had been meant only against the king's person, what need had there been thereof after the other branch of treason, in the same statute, of compassing the king's death, which would necessarily have implied this? And because the former clause doth imply this, it seems not at all to be intended in this latter branch; but only the levying of war against the king, that is, against his laws and authority: and the levying of war against his laws and authority, though not against his person, is levying war against the king; but the levying of force against his personal commands, though accompanied with his presence, and not against his laws and authority, but in the maintenance thereof, is no levying of war against the king, but for him.

"Here was then, they said, their case: In a time of so many successive plots, and designs of force against the parliament and the kingdom; in a time of probable invasion from abroad, and that to begin at Hull, and to take the opportunity of seizing upon so great a magazine there; in a time of so great distance and alienation of his majesty's affection from his parliament, (and in them from his kingdom, which they represent,) by the wicked suggestions of a few malignant persons, by whose mischievous counsels he was wholly led away from his parliament, and their faithful advices and counsels: in such a time, the lords and commons in parliament command sir John Hotham to draw in some of the trained bands of the parts adjacent to the town of Hull, for the securing that town and magazine for the service of his majesty, and of the kingdom: of the safety whereof there is a higher trust reposed in them, than any where else; and they are the proper judges of the danger thereof.

"This town and magazine being intrusted to sir John Hotham, with express order not to deliver them up, but by the king's authority, signified by

“ both houses of parliament ; his majesty, contrary  
 “ to the advice and direction of both houses of  
 “ parliament, without the authority of any court, or  
 “ any legal way, wherein the law appoints the king  
 “ to speak and command, accompanied with the  
 “ same evil council about him that he had before,  
 “ by a verbal command requires sir John Hotham  
 “ to admit him into the town, that he might dis-  
 “ pose of it, and of the magazine there, according  
 “ to his own, or rather according to the pleasure of  
 “ those evil counsellors, who are still in so much  
 “ credit about him ; in like manner as the lord  
 “ Digby had continual recourse unto, and counte-  
 “ nance from, the queen’s majesty in Holland ; by  
 “ which means he had opportunity still to commu-  
 “ nicate his traitorous conceptions and suggestions  
 “ to both their majesties ; such as those were con-  
 “ cerning his majesty’s retiring to a place of  
 “ strength, and declaring himself, and his own ad-  
 “ vancing his majesty’s service in such a way be-  
 “ yond the seas, and after that resorting to his  
 “ majesty in such a place of strength ; and divers  
 “ other things of that nature, contained in his  
 “ letter to the queen’s majesty, and to sir Lewis  
 “ Dives ; a person that had not the least part in  
 “ this late business of Hull, and was presently de-  
 “ patched away into Holland, soon after his ma-  
 “ jesty’s return from Hull ; for what purpose, they  
 “ left the world to judge.

“ Upon the refusal of sir John Hotham to admit  
 “ his majesty into Hull, presently, without any due  
 “ process of law, before his majesty had sent up  
 “ the narration of his fact to the parliament, he  
 “ was proclaimed traitor ; and yet it was said, that  
 “ therein was no violation of the subject’s right,  
 “ nor any breach of the law, nor of the privilege of  
 “ parliament, though sir John Hotham be a mem-  
 “ ber of the house of commons ; and that his ma-  
 “ jesty must have better reason, than bare votes,  
 “ to believe the contrary ; although the votes of  
 “ the lords and commons in parliament, being the  
 “ great council of the kingdom, are the reason of  
 “ the king, and of the kingdom : yet these votes,  
 “ they said, did not want clear and apparent reason  
 “ for them ; for if the solemn proclaiming him a  
 “ traitor signify any thing, it puts a man, and all  
 “ those that any way aid, assist, or adhere unto  
 “ him, in the same condition of traitors ; and  
 “ draws upon him all the consequences of treason :  
 “ and if that might be done by law, without due  
 “ process of law, the subject hath a very poor  
 “ defence of the law, and a very small, if any, por-  
 “ tion of liberty thereby. And it is as little  
 “ satisfaction to a man, that shall be exposed to  
 “ such penalties, by that declaration of him to be  
 “ a traitor, to say, he shall have a legal trial af-  
 “ terwards, as it is to condemn a man first, and try him  
 “ afterwards. And if there could be a necessity for  
 “ any such proclaiming a man a traitor, without due  
 “ process of law, yet there was none in this case ;  
 “ for his majesty might as well have expected the  
 “ judgment of parliament, (which was the right  
 “ way,) as he had leisure to send to them to  
 “ demand justice against sir John Hotham. And  
 “ the breach of privilege of parliament was as clear  
 “ in this case, as the subversion of the subject’s  
 “ common right : for, though the privileges of par-  
 “ liament do not extend to those cases, mentioned  
 “ in the declaration, of treason, felony, and breach  
 “ of peace, so as to exempt the members of par-  
 “ liament from punishment, nor from all manner of

“ process and trial, as it doth in other cases ; yet  
 “ it doth privilege them in the way and method of  
 “ their trial and punishment ; and that the parlia-  
 “ ment should have the cause first brought before  
 “ them, that they may judge of the fact, and of  
 “ the grounds of the accusation, and how far forth  
 “ the manner of their trial may concern, or not  
 “ concern, the privilege of parliament. Otherwise  
 “ it would be in the power, not only of his ma-  
 “ jesty, but of every private man, under preten-  
 “ sions of treasons, or those other crimes, to take  
 “ any man from his service in parliament ; and so  
 “ as many one after another as he pleaseth ; and,  
 “ consequently, to make a parliament what he will,  
 “ when he will ; which would be a breach of so es-  
 “ sential a privilege of parliament, as that the very  
 “ being thereof depends upon it. And therefore  
 “ they no ways doubted but every one, that had  
 “ taken the protestation, would, according to his  
 “ solemn vow and oath, defend it with his life and  
 “ fortune. Neither did the sitting of a parliament  
 “ suspend all, or any law, in maintaining that law,  
 “ which upholds the privilege of parliament ; which  
 “ upholds the parliament ; which upholds the king-  
 “ dom. And they were so far from believing, that  
 “ his majesty was the only person against whom  
 “ treason could not be committed, that, in some  
 “ sense, they acknowledged he was the only person  
 “ against whom it could be committed ; that is, as  
 “ he is king : and that treason, which is against  
 “ the kingdom, is more against the king, than that  
 “ which is against his person ; because he is king :  
 “ for that very treason is not treason, as it is against  
 “ him as a man, but as a man that is a king ; and  
 “ as he hath relation to the kingdom, and stands  
 “ as a person intrusted with the kingdom, and dis-  
 “ charging that trust.

“ Now, they said, the case was truly stated, and  
 “ all the world might judge where the fault was ;  
 “ although they must avow, that there could be no  
 “ competent judge of this, or any the like case,  
 “ but a parliament. And they were as confident,  
 “ that his majesty should never have cause to  
 “ resort to any other court, or course, for the  
 “ vindication of his just privileges, and for the  
 “ recovery and maintenance of his known and un-  
 “ doubted rights, if there should be any invasion  
 “ or violation thereof, than to his high court of  
 “ parliament : and, in case those wicked counsel-  
 “ lers about him should drive him into any other  
 “ course from and against his parliament, whatever  
 “ his majesty’s expressions and intentions were,  
 “ they should appeal to all men’s consciences ; and  
 “ desire, that they would lay their hands upon  
 “ their hearts, and think with themselves, whether  
 “ such persons, as had of late, and still did resort  
 “ unto his majesty, and had his ear and favour  
 “ most, either had been or were more zealous  
 “ assertors of the true protestant profession, (al-  
 “ though they believed they were more earnest in  
 “ the protestant profession than in the protestant  
 “ religion,) or the law of the land, the liberty of  
 “ the subject, and the privileges of the parliament,  
 “ than the members of both houses of parliament ;  
 “ who were insinuated to be the deserters, if not the  
 “ destroyers of them : and whether, if they could  
 “ master this parliament by force, they would not  
 “ hold up the same power to deprive us of all par-  
 “ liaments ; which are the ground and pillar of the  
 “ subject’s liberty, and that which only maketh  
 “ England a free monarchy.

"For the order of assistance to the committee of both houses, as they had no directions or instructions, but what had the law for their limits, and the safety of the land for their ends, so they doubted not but all persons mentioned in that order, and all his majesty's good subjects, would yield obedience to his majesty's authority, signified therein by both houses of parliament. And that all men might the better know their duty in matters of that nature, and upon how sure a ground they go, that follow the judgment of parliament for their guide, they wished them judiciously to consider the true meaning and ground of that statute made in the eleventh year of king Hen. VII. ch. 1. which was printed at large in the end of his majesty's message of the fourth of May: that statute provides, that none who shall attend upon the king, and do him true service, should be attainted, or forfeit any thing. What was the scope of that statute? To provide that men should not suffer as traitors, for serving the king in his wars according to the duty of their allegiance? If this had been all, it had been a very needless and ridiculous statute. Was it then intended, (as they seemed to take the meaning of it to be, that caused it to be printed after his majesty's message,) that they should be free from all crime and penalty, that should follow the king, and serve him in war in any case whatsoever; whether it were for or against the kingdom, and the laws thereof? That could not be; for that could not stand with the duty of their allegiance; which, in the beginning of the statute, was expressed to be to serve the king for the time being in his wars, for the defence of him and the land; and therefore if it be against the land, (as it cannot be understood to be otherwise, if it be against the parliament, the representative body of the kingdom,) it is a declining from the duty of allegiance; which this statute supposeth may be done, though men should follow the king's person in the war: otherwise there had been no need of such a proviso in the end of the statute, that none should take the benefit thereby, that should decline from their allegiance. That therefore which is the principal verb in this statute is, the serving of the king for the time being; which could not be meant of a Perkin Warbeck, or any that should call himself king; but such a one, as, whatever his title might prove, either in himself or in his ancestors, should be received and acknowledged for such by the kingdom; the consent whereof cannot be discerned but by parliament; the act whereof is the act of the whole kingdom, by the personal suffrage of the peers, and the delegate consent of all the commons of England.

"And Henry VII. a wise king, considering that what was the case of Rich. III. his predecessor, might, by chance of battle, be his own; and that he might at once, by such a statute as this, satisfy such as had served his predecessor in his wars, and also secure those which should serve him, who might otherwise fear to serve him in the wars; lest, by chance of battle, that might happen to him also, (if a duke of York had set up a title against him,) which had happened to his predecessor, he procured this statute to be made; that no man should be accounted a traitor for serving the king, in his wars, for the time

"being, that is, which was for the present allowed and received by the parliament in behalf of the kingdom: and, as it is truly suggested in the preamble of the statute, it is not agreeable to reason or conscience, that it should be otherwise; seeing men should be put upon an impossibility of knowing their duty, if the judgment of the highest court should not be a rule and guide to them. And if the judgment thereof should not be followed, where the question is, who is king? much more, what is the best service of the king and kingdom? And therefore those, who should guide themselves by the judgment of parliament, ought, whatever happen, to be secure and free from all account and penalties, upon the grounds and equity of this very statute.

"They said, they would conclude, that although those wicked counsellors about his majesty had presumed, under his majesty's name, to put that dishonour and affront upon both houses of parliament; and to make them the countenancers of treason, enough to have dissolved all the bands and sinews of confidence between his majesty and his parliament, (of whom the maxim of the law is, that a dishonourable thing ought not to be imagined of them,) yet they doubted not, but it should, in the end, appear to all the world, that their endeavours had been most hearty and sincere, for the maintenance of the true protestant religion; the king's just prerogative; the laws and liberties of the land; and the privileges of parliament: in which endeavours, by the grace of God, they would still persist, though they should perish in the work; which if it should be, it was much to be feared, that religion, laws, liberties, and parliaments, would not be long lived after them."

This declaration wrought more upon the minds of men, than all that they had done; for the business at Hull was, by very many, thought to be done before projected; and the argument of the militia to be entered upon at first in passion, and afterwards pursued with that vehemence, insensibly, by being engaged; and that both extravagances had so much weighed down the king's trespasses, in coming to the house and accusing the members, that a reasonable agreement would have been the sooner consented to on all hands. But when, by this declaration, they saw foundations laid, upon which not only what had been already done would be well justified, but whatsoever they should, hereafter, find convenient to second what was already done; and that not only the king, but the regal power, was either suppressed, or deposited in other hands; the irregularity and monstrousness of which principles found little opposition or resistance, even for the irregularity and monstrousness: very many thought it as unsafe to be present at those consultations, as to consent to the conclusions; and so great numbers of the members of both houses absented themselves; and many, especially of the house of peers, resorted to his majesty at York. So that, in the debates of the highest consequence, there were not usually present, in the house of commons, the fifth part of their just numbers; and, very often, not above a dozen or thirteen in the house of peers. In the mean time the king had a full court, and received all comers with great clemency and grace; calling always all the peers to

council, and communicating with them all such declarations he thought fit to publish in answer to those of the parliament; and all messages, and whatever else was necessary to be done for the improvement of his condition: and, having now the great seal with him, issued such proclamations, as were seasonable for the preservation of the peace of the kingdom. First he published a declaration in answer to that of the nineteenth of May, in which his majesty said:

"That if he could be weary of taking any pains for the satisfaction of his people, and to undeceive them of those specious, mischievous insinuations, which were daily instilled into them, to shake and corrupt their loyalty and affection to his majesty and his government, after so full and ample declaration of himself and intentions, and so fair and satisfactory answers to all such matters as had been objected to him, by a major part present of both houses of parliament, he might well give over that labour of his pen; and sit still, till it should please God to enlighten the affections and understandings of his good subjects on his behalf, (which he doubted not, but that, in his good time, he would do,) that they might see his sufferings were their sufferings: but since, instead of applying themselves to the method, proposed by his majesty, of making such solid particular propositions, as might establish a good understanding between them, or of following the advice of his council of Scotland, (with whom they communicated their affairs,) in forbearing all means that might make the breach wider, and the wound deeper; they had chosen to pursue his majesty with new reproaches, or rather to continue and improve the old, by adding, and varying little circumstances and language, in matters formerly urged by them, and fully answered by his majesty, he had prevailed with himself, upon very mature and particular consideration of it, to answer the late printed book, entitled a Declaration or Remonstrance of the Lords and Commons, which was ordered, the nineteenth of May last, to be printed and published; hoping then, that they would put his majesty to no more of that trouble, but that that should have been the last of such a nature they would have communicated to his people; and that they would not, as they had done since, have thought fit to assault him with a newer declaration, indeed of a very new nature and learning; which should have another answer: and he doubted not, but that his good subjects would, in short time, be so well instructed in the differences and mistakings between them, that they would plainly discern, without resigning their reason and understanding to his prerogative, or the infallibility of a now major part of both houses of parliament, (infected by a few malignant spirits,) where the fault was.

"His majesty said, though he should, with all humility and alacrity, be always forward to acknowledge the infinite mercy and providence of Almighty God, vouchsafed, so many several ways, to himself and this nation; yet, since God himself doth not allow, that we should fancy and create dangers to ourselves, that we might manifest and publish his mercy in our deliverance; he must profess, that he did not know those deliverances, mentioned in the beginning of that declaration, from so many wicked plots and de-

signs, since the beginning of this parliament, which, if they had taken effect, would have brought ruin and destruction upon this kingdom. His majesty well knew the great labour and skill, which had been used to amuse and affright his good subjects with fears and apprehensions of plots and conspiracies; the several pamphlets published, and letters scattered up and down, full of such ridiculous, contemptible animadversions to that purpose, as (though they found, for what end God knows, very unusual countenance) no sober man would be moved with them. But, he must confess, he had never been able to inform himself of any such pernicious, formed design against the peace of the kingdom, since the beginning of this parliament, as was mentioned in that declaration, or which might be any warrant to those great fears, both houses of parliament seemed to be transported with; but he had great reason to believe, that more mischief and danger had been raised and begotten, to the disturbance of the kingdom, than cured or prevented, by those fears and jealousies. And therefore, however the rumour and discourse of plots and conspiracies might have been necessary to the designs of particular men, they should do well not to pay any false devotions to Almighty God, who discerns whether our dangers are real or pretended.

"For the bringing up of the army to London, as his majesty had heretofore, by no other direction than the testimony of a good conscience, called God to witness, that he never had, or knew of, any such resolution; so he said, upon the view of the depositions now published with that declaration, it was not evident to his majesty, that there was ever such a design; unless every loose discourse, or argument, be evidence enough of a design: and it was apparent, that what had been said of it, was near three months before the discovery to both houses of parliament; so that if there were any danger threatened that way, it vanished without any resistance, or prevention, by the wisdom, power, or authority of them.

"It seemed the intention of that declaration, whatsoever other end it had, was to answer a declaration they had received from his majesty, in answer to that which was presented to his majesty at Newmarket, the ninth of March last; and likewise to his answer to the petition of both houses, presented to him at York, the twenty-sixth of March: but, before it fell upon any particular of his majesty's declaration or answer, it complained that the heads of the malignant party had, with much art and industry, advised him to suffer divers unjust scandals and imputations upon the parliament, to be published in his name, whereby they might make it odious to the people, and, by their help, destroy it: but not instancing in any one scandal, or imputation, so published by his majesty, he was, he said, still to seek for the heads of that malignant party. But his good subjects would easily understand, that if he were guilty of that aspersion, he must not only be active in raising the scandal, but passive in the mischief begotten by that scandal, his majesty being an essential part of the parliament; and he hoped the just defence of himself and his authority, and the necessary vindication of his innocence and justice, from the imputations laid on him, by a major part then present

"of either or both houses, should no more be called a scandal upon the parliament, than the opinion of such a part be reputed an act of parliament: and he hoped his good subjects would not be long misled, by that common expression in all the declarations, wherein they usurp the word parliament, and apply it to countenance any resolution or vote some few had a mind to make, by calling it the resolution of parliament; which could never be without his majesty's consent; neither could the vote of either or both houses make a greater alteration in the laws of the kingdom, (so solemnly made by the advice of their predecessors, with the concurrence of his majesty and his ancestors,) either by commanding or inhibiting any thing, (besides the known rule of the law,) than his single direction or mandate could do, to which he did not ascribe that authority.

"But that declaration informed the people, that the malignant party had drawn his majesty into the northern parts, far from his parliament. It might, his majesty said, more truly and properly have said, that it had driven, than drawn him thither; for, he confessed, his journey thither (for which he had no other reason to be sorry, than with reference to the cause of it) was only forced upon him, by the true malignant party; which contrived and countenanced those barbarous tumults, and other seditious circumstances, of which he had so often complained, and hereafter should say more; and which indeed threatened so much danger to his person, and laid so much scandal upon the privilege and dignity of parliament, that he wondered it could be mentioned without blushes or indignation: but of that anon: but why the malignant party should be charged with causing a press to be transported to York, his majesty said, he could not imagine; neither had any papers or writings issued from thence, to his knowledge, but what had been extorted from him by such provocations, as had not been before offered to a king. And, no doubt, it would appear a most trivial and fond exception, when all presses were open to vent whatsoever they thought fit to say to the people, (a thing unwarranted by former custom,) that his majesty should not make use of all lawful means, to publish his just and necessary answers thereunto. As for the authority of the great seal, (though he did not know that it had been necessary to things of that nature,) the same should be more frequently used hereafter, as occasion should require; to which he made no doubt, but the greater and better part of his privy council would concur; and whose advice he was resolved to follow, as far as it should be agreeable to the good and welfare of the kingdom.

"Before that declaration vouchsafed to insist on any particulars, it was pleased to censure both his majesty's declaration and answer to be filled with harsh censures, and causeless charges upon the parliament, (still misapplying the word parliament to the vote of both houses,) concerning which they resolve to give satisfaction to the kingdom, since they found it very difficult to satisfy his majesty. If, as in the usage of the word parliament, they had left his majesty out of their thoughts; so by the word kingdom, they intended to exclude all his people who were not within their walls, (for that was grown another

"phrase of the time, the vote of the major part of both houses, and sometimes of one, was now called the resolution of the whole kingdom,) his majesty believed, it might not be hard to give satisfaction to themselves; otherwise he was confident, (and, he said, his confidence proceeded from the uprightness of his own conscience,) they would never be able so to sever the affections of his majesty and his kingdom, that what could not be satisfaction to the one, should be to the other: neither would the style of humble, and faithful, and telling his majesty that they will make him a great and glorious king, in their petitions and remonstrances, so deceive his good subjects, that they would pass over the reproaches, threats, and menaces they were stuffed with; which surely could not be more gently reprehended by his majesty, than by saying, their expressions were different from the usual language to princes; which that declaration told him he had no occasion to say: but he believed, whosoever looked over that declaration, presented to him at Newmarket, to which his was an answer, would find the language throughout it to be so unusual, that, before this parliament, it could never be paralleled; whilst, under pretence of justifying their fears, they gave so much countenance to the discourse of the rebels of Ireland, as if they had a mind his good subjects should give credit to it: otherwise, being warranted by the same evidence, which they have since published, they would have as well declared, that those rebels publicly threaten the rooting out the name of the English, and that they will have a king of their own, and no longer be governed by his majesty, as that they say, that they do nothing, but by his majesty's authority; and that they call themselves the queen's army. And therefore he had great reason to complain of the absence of justice and integrity in that declaration; besides the unfitness of other expressions.

"Neither did his majesty mistake the substance, or logic of their message to him, at Theobalds, concerning the militia; which was no other, and was stated to be no other, even by that declaration that reproved him, than a plain threat, that if his majesty refused to join with them, they would make a law without him: nor had the practice since that time been other; which would never be justified to the most ordinary (if not partial) understandings, by the mere averring it to be according to the fundamental laws of this kingdom, without giving any directions, that the most cunning and learned men in the laws might be able to find those foundations. And he would appeal unto all the world, whether they might not, with as much justice, and by as much law, have seized upon the estate of every member of both houses, who dissented from that pretended ordinance, (which much the major part of the house of peers did, two or three several times,) as they had invaded that power of his over the militia, because he, upon reasons they had not so much as pretended to answer, refused to consent to that proposition.

"And if no better effects, than loss of time, and hindrance of the public affairs, had been found by his answers and replies, all good men might judge by whose default, and whose want of duty, such effects had been; for as his end, indeed his

"only end, in those answers and replies, had been the settlement and composure of public affairs; so, he was assured, and most men did believe, that if that due regard and reverence had been given to his words, and that consent and obedience to his counsels, which he expected, there had been, before that time, a cheerful calm upon the face of the whole kingdom; every man enjoying his own, with all possible peace and security that can be imagined; which surely those men did not desire, who (after all those acts of justice and favour passed by him this parliament; all those sufferings and affronts endured and undergone by him) thought fit still to reproach him with ship-money, coat and conduct-money, and other things so abundantly declared, as that declaration itself confessed, in the general remonstrance of the state of the kingdom, published in November last; which his majesty wondered to find now avowed to be the remonstrance of both houses; and which, he was sure, was presented to him only by the house of commons; and did never, and, he was confident, in that time could never have passed the house of peers; the concurrence and authority of which was not then thought necessary. Should his majesty believe those reproaches to be the voice of the kingdom of England, that all his loving subjects eased, refreshed, strengthened, and abundantly satisfied with his acts of grace and favour towards them, were willing to be involved in those unthankful expressions? He would appeal to the thanks and acknowledgments published in the petitions of most of the counties of England; to the testimony and thanks he had received from both houses of parliament; how seasonable, how agreeable that usage was to his majesty's merit, or their former expressions.

"His majesty said, he had not at all swerved or departed from his resolutions, or words, in the beginning of this parliament; he had said, he was resolved to put himself freely and clearly upon the love and affection of his English subjects; and he said so still, as far as concerns England. And he called Almighty God to witness, all his complaints and jealousies, which had never been causeless, nor of his houses of parliament, (but of some few schismatical, factious, and ambitious spirits; and upon grounds, as he feared, a short time would justify to the world,) his denial of the militia, his absenting himself from London, had been the effects of an upright and faithful affection to his English subjects; that he might be able, through all the inconveniences he might be compelled to wrestle with, at last to preserve and restore their religion, laws, and liberties unto them.

"Since the proceeding against the lord Kimbolton, and the five members, was still looked upon, and so often pressed, as so great an advantage against his majesty, that no retraction made by him, nor no action, since that time committed against him, and the law of the land, under the pretence of vindication of privilege, could satisfy the contrivers of that declaration, but that they would have his good subjects believe, the accusation of those six members must be a plot for the breaking the neck of the parliament, (a strange arrogance, if any of those members had the penning of that declaration,) and that it was so often urged against him, as if

"by that single, casual mistake of his, in form only, he had forfeited all duty, credit, and allegiance from his people, he said, he would, without endeavouring to excuse that, which in truth was an error, (his going to the house of commons,) give his people a full and clear narration of the matter of fact; assuring himself, that his good subjects would not find his carriage, in that business, such as had been reported.

"His majesty said, that when he resolved, upon such grounds, as, when they should be published, would satisfy the world, that it was fit for his own safety and honour, and the peace of the kingdom, to proceed against those persons; though, he well knew, there was no degree of privilege in that case; yet, to shew his desire of correspondence with the two houses of parliament, he chose rather than to apprehend their persons by the ordinary ministers of justice, (which, according to the opinion and practice of former times, he might have done,) to command his attorney general, to acquaint his house of peers with his intention, and the general matters of his charge, (which was yet more particular, than a mere accusation,) and to proceed accordingly; and at the same time sent a sworn servant, a sergeant at arms, to the house of commons, to acquaint them, that his majesty did accuse, and intended to prosecute, the five members of that house for high treason; and did require, that their persons might be secured in custody. This he did, not only to shew that he intended not to violate or invade their privileges, but to use more ceremony towards them, than he then conceived in justice might be required of him; and expected at least such an answer, as might inform him, if he were out of the way; but he received none at all; only, in the instant, without offering any thing of their privileges to his consideration, an order was made, and the same night published in print, that if any person whatsoever should offer to arrest the person of any member of that house, without first acquainting that house therewith, and receiving further order from that house, that it should be lawful for such member, or any person, to assist them; and to stand upon his or their guard or defence; and to make resistance, according to the protestation taken to defend the privileges of parliament: and this was the first time that he heard the protestation might be wrested to such a sense, or that in any case, though of the most undoubted and unquestionable privilege, it might be lawful for any person to resist, and use violence against a public minister of justice, armed with lawful authority; though his majesty well knew, that even such a minister might be punished for executing such authority.

"Upon viewing that order, his majesty confessed, he was somewhat amazed, having never seen or heard of the like; though he had known members of either house committed, without so much formality as he had used, and upon crimes of a far inferior nature to those he had suggested; and having no course proposed him for his proceeding, he was, upon the matter, only told, that against those persons he was not to proceed at all; that they were above his reach, or the reach of the law. It was not easy for him to resolve what to do: if he employed his ministers of justice in the usual way for their

"apprehension, who without doubt would not have refused to have executed his lawful commands, he saw what opposition, and resistance, was like to be made; which, very probably, might have cost some blood: if he sat still, and desisted upon that terror, he should, at the best, have confessed his own want of power, and the weakness of the law. In that strait, he put on a sudden resolution, to try whether his own presence, and a clear discovery of his intentions, which haply might not have been so well understood, could remove those doubts, and prevent those inconveniences, which seemed to have been threatened; and thereupon he resolved to go, in his own person, to the house of commons; which he discovered not, till the very minute of his going; when he sent out, that his servants, and such gentlemen as were then in his court, should attend him to Westminster; but giving them express command, as he had expressed in his answer to the ordinance, that no accidents, or provocation, should draw them to any such action, as might imply a purpose of force in his majesty; and himself, requiring those of his train not to come within the door, went into the house of commons; the bare doing of which, he did not then conceive, would have been thought more a breach of privilege, than if he had gone to the house of peers, and sent for them to come to him: which was the usual custom.

"He used the best expressions he could, to assure them how far he was from any intention of violating their privileges; that he intended to proceed legally and speedily against the persons he had accused; and desired therefore, if they were in the house, that they might be delivered to him; or if absent, that such course might be taken for their forthcoming, as might satisfy his just demands; and so he departed, having no other purpose of force, if they had been in the house, than he had before protested, before God, in his answer to the ordinance. They had an account now of his part of that story fully; his people might judge freely of it. What followed on their part, (though that declaration said, it could not withdraw any part of their reverence and obedience from his majesty; it might be any part of theirs it did not,) he should have too much cause hereafter to inform the world.

"His majesty said, there would be no end of the discourse, and upbraiding him with evil counsellors, if, upon his constant denial of knowing any, they would not vouchsafe to inform him of them; and after eight months amusing the kingdom with the expectation of the discovery of a malignant party, and of evil counsellors, they would not at last name any, nor describe them. Let the actions and lives of men be examined, who had contrived, counselled, actually consented to grieve and burden his people; and if such were now about his majesty, or any against whom any notorious, malicious crime could be proved, if he sheltered and protected any such, let his injustice be published to the world: but till that were done, particularly, and manifestly, (for he should never conclude any man upon a bare, general vote of the major part of either, or both houses, till it were evident, that that major part was without passion or affection,) he must look upon the charge that declaration put on him,

"of cherishing and countenancing a discontented party of the kingdom against them, as a heavier and unjust tax upon his justice and honour, than any he had, or could lay, upon the framers of that declaration. And now, to countenance those unhandsome expressions, whereby usually they had implied his majesty's connivance at, or want of zeal against, the rebellion of Ireland, (so odious to all good men,) they had found a new way of exprobration: that the proclamation against those bloody traitors came not out, till the beginning of January, though that rebellion broke out in October, and then, by special command from his majesty, but forty copies were appointed to be printed. His majesty said, it was well known where he was at that time, when that rebellion brake forth; in Scotland: that he immediately, from thence, recommended the care of that business to both houses of parliament here, after he had provided for all fitting supplies from his kingdom of Scotland: that, after his return hither, he observed all those forms for that service, which he was advised to by his council of Ireland, or both houses of parliament here; and if no proclamation issued out sooner, (of which, for the present, he was not certain; but thought that others, by his directions, were issued before that time,) it was, because the lords justices of the kingdom desired them no sooner; and when they did, the number they desired was but twenty; which they advised might be signed by his majesty; which he, for expedition of the service, commanded to be printed; a circumstance not required by them; thereupon he signed more of them, than his justices desired; all which was very well known to some members of one, or both houses of parliament; who had the more to answer, if they forbore to express it at the passing of that declaration; and if they did express it, he had the greater reason to complain, that so envious an aspersion should be cast on his majesty to his people, when they knew well how to answer their own objection.

"What that complaint was against the parliament, put forth in his name, which was such an evidence and countenance to the rebels, and spoke the same language of the parliament which the rebels did; he said he could not understand. All his answers and declarations had been, and were, owned by himself; and had been attested under his own hand: if any other had been published in his name, and without his authority, it would be easy for both houses of parliament to discover and apprehend the authors: and he wished, that whosoever was trusted with the drawing and penning that declaration, had no more authority, or cunning to impose upon, or deceive a major part of those votes, by which it passed, than any man had to prevail with his majesty to publish in his name any thing, but the sense and resolution of his own heart; or that the contriver of that declaration could, with as good a conscience, call God to witness, that all his counsels and endeavours had been free from all private aims, personal respects or passions whatsoever, as his majesty had done, and did, that he never had, or knew of such resolution of bringing up the army to London.

"And since that new device was found out, in-



“stead of answering his reasons, or satisfying his just demands, to blast his declarations and answers, as if they were not his own; a bold, senseless imputation; he said he was sure, that every answer and declaration, published by his majesty, was much more his own, than any one of those bold, threatening, and reproachful petitions and remonstrances, were the acts of either, or both houses. And if the penner of that declaration had been careful of the trust reposed in him, he would never have denied, (and thereupon found fault with his majesty's just indignation,) in the text or margin, that his majesty had never been charged with the intention of any force; and that in their whole declaration, there was no one word tending to any such reproach; the contrary whereof was so evident, that his majesty was, in express terms, charged in that declaration, that he had sent them gracious messages, when, with his privy, bringing up the army was in agitation; and, even in that declaration, they sought to make the people believe some such thing to be proved, in the depositions therewith published; wherein, his majesty doubted not, they would as much fail, as they did in their censure of that petition, shewed formerly to his majesty by captain Leg, and subscribed by him with C. R. which, notwithstanding his majesty's full and particular narration of the substance of that petition, the circumstances of his seeing and approving it, that declaration was pleased to say, was full of scandal to the parliament, and might have proved dangerous to the whole kingdom. If they had that dangerous petition in their hands, his majesty said, he had no reason to believe any tenderness towards him had kept them from communicating it; if they had it not, his majesty ought to have been believed: but that all good people might compute their other pretended dangers by their clear understanding of that, the noise whereof had not been inferior to any of the rest, his majesty said, he had recovered a true copy of the very petition he had signed with C. R. which should, in fit time, be published; and which, he hoped, would open the eyes of his good people.

“Concerning his warrant for Mr. Jermyn's passage, his answer was true, and full; but for his black satin suit, and white boots, he could give no account.

“His majesty had complained in his declaration, and, as often as he should have occasion to mention his return, and residence near London, he should complain, of the barbarous and seditious tumults at Whitehall and Westminster; which indeed had been so full of scandal to his government, and danger to his person, that he should never think of his return thither, till he had justice for what was past, and security for the time to come: and if there were so great a necessity, or desire of his return, as was pretended, in all this time, upon so often pressing his desires, and upon causes so notorious, he should at least have procured some order for the future. But that declaration told his majesty he was, upon the matter, mistaken; the resort of the citizens to Westminster was as lawful, as the resort of great numbers every day in the term to the ordinary courts of justice; they knew no tumults. Strange! was the disorderly appear-

“ance of so many thousand people, with staves and swords, crying through the streets, Westminster-hall, the passage between both houses, (insomuch as the members could hardly pass to and fro,) No bishops, down with the bishops, no tumults? What member was there of either house, that saw not those numbers, and heard not those cries? And yet lawful assemblies! Were not several members of either house assaulted, threatened, and evilly entreated? And yet no tumults! Why made the house of peers a declaration, and sent it down to the house of commons, for the suppressing of tumults, if there were no tumults? And if there were any, why was not such a declaration consented to, and published? When the attempts were so visible, and threats so loud to pull down the abbey at Westminster, had not his majesty just cause to apprehend, that such people might continue their work to Whitehall? Yet no tumults! What a strange time are we in, that a few impudent, malicious (to give them no worse term) men should cast such a mist of error before the eyes of both houses of parliament, as that they either could not, or would not, see how manifestly they injured themselves, by maintaining those visible untruths. His majesty said, he would say no more: by the help of God and the law, he would have justice for those tumults.

“From excepting, how weightily every man might judge, to what his majesty had said, that declaration proceeded to censure him for what he had not said; for the prudent omissions in his answer: his majesty had forborne to say any thing of the words spoken at Kensington; or the articles against his dearest consort, and the accusation of the six members: of the last, his majesty said, he had spoken often; and he thought, enough of the other two; but having never accused any, (though God knew what truth there might be in either,) he had no reason to give any particular answer.

“He said, he did not reckon himself bereaved of any part of his prerogative; which he was pleased freely, for a time, to part with by bill; yet he must say, he expressed a great trust in his two houses of parliament, when he divested himself of the power of dissolving this parliament; which was a just, necessary, and proper prerogative. But he was glad to hear their resolution, that it should not encourage them to do any thing which otherwise had not been fit to have been done: if it did, it would be such a breach of trust, God would require an account for at their hands.

“For the militia, he had said so much in it before, and the point was so well understood by all men, that he would waste time no more in that dispute. He never had said, there was no such thing as an ordinance, though he knew that they had been long disused, but that there was never any ordinance, or could be any, without the king's consent; and that was true: and the unnecessary precedent, cited in that declaration, did not offer to prove the contrary. But enough of that; God and the law must determine that business.

“Neither had that declaration given his majesty any satisfaction concerning the votes of the fifteenth and sixteenth of March last; which he must declare, and appeal to all the world in the point, to be the greatest violation of his majesty's



"privilege, the law of the land, the liberty of the subject, and the right of parliament, that could be imagined. One of those votes was, and there would need no other to destroy the king and people, that when the lords and commons (it is well the commons are admitted to their part in judicature) shall declare what the law of the land is, the same must be assented to, and obeyed; that is the sense in few words. Where is every man's property; every man's liberty? If the major part of both houses declare, that the law is, that the younger brother shall inherit; what is become of all the families and estates in the kingdom? If they declare, that, by the fundamental law of the land, such a rash action, such an unadvised word, ought to be punished by perpetual imprisonment, is not the liberty of the subject, *durante beneplacito*, remediless? That declaration confesses, they pretend not to a power of making new laws; that, without his majesty, they could not do that: they needed no such power, if their declaration could suspend this statute from being obeyed, and executed. If they had power to declare the lord Digby's waiting on his majesty to Hampton-court, and thence visiting some officers at Kingston, with a coach and six horses, to be levying of war, and high treason; and sir John Hotham's defying his majesty to his face, keeping his majesty's town, fort, and goods against him, by force of arms, to be an act of affection and loyalty; what needed a power of making new laws? or would there be such a thing as law left?

"He desired his good subjects to mark the reason and consequence of those votes; the progress they had already made, and how infinite that progress might be. First, they voted the kingdom was in imminent danger (it was now above three months since they discerned it) from enemies abroad, and a popish and discontented party at home; that is matter of fact; the law follows: this vote had given them authority by law, the fundamental laws of the kingdom, to order and dispose of the militia of the kingdom; and, with this power, and to prevent that danger, to enter into his majesty's towns, seize upon his magazine, and, by force, keep both from him. Was not that his majesty's case? First, they vote he had an intention to levy war against his parliament; that is matter of fact: then they declare such as shall assist him, to be guilty of high treason; that is the law, and proved by two statutes themselves knew to be repealed. No matter for that; they declare it. Upon this ground they exercise the militia; and so actually do that upon his majesty, which they had voted he intended to do upon them. Who could not see the confusion that must follow upon such a power of declaring? If they should now vote that his majesty did not write this declaration, but that such a one did it, which was still matter of fact; and then declare, that, for so doing, he was an enemy to the commonwealth; what was become of the law that man was born to? And if all their zeal for the defence of the law were but to defend that which they declared to be law, their own votes; it would not be in their power to satisfy any man of their good intentions to the public peace, but such who were willing to relinquish his title to Magna Charta, and hold his life, and fortune, by a vote of a major

"part of both houses. In a word, his majesty denied not, but they might have power to declare in a particular, doubtful case, regularly brought before them, what law is: but to make a general declaration, whereby the known rule of the law might be crossed, or altered, they had no power; nor could exercise any, without bringing the life and liberty of the subject to a lawless and arbitrary subjection.

"His majesty had complained (and the world might judge of the justice and necessity of that complaint) of the multitude of seditious pamphlets and sermons; and that declaration told him, they knew he had ways enough in his ordinary courts of justice to punish those; so, his majesty said, he had to punish tumults and riots; and yet they would not serve his turn to keep his towns, his forests, and parks from violence. And it might be, though those courts had still the power to punish, they might have lost the skill to define, what tumults and riots are; otherwise a jury in Southwark, legally empaneled to examine a riot there, would not have been superseded, and the sheriff enjoined not to proceed, by virtue of an order of the house of commons; which, it seemed, at that time had the sole power of declaring. But it was no wonder that they, who could not see the tumults, did not consider the pamphlets and sermons; though the author of the *Protestation protested* were well known to be Burton, (that infamous disturber of the peace of the church and state,) and that he preached it at Westminster, in the hearing of divers members of the house of commons. But of such pamphlets and seditious preachers (divers whereof had been recommended, if not imposed upon several parishes, by some members of both houses, by what authority his majesty knew not) he would hereafter take a further account.

"His majesty said, he confessed he had little skill in the laws; and those that had had most, he found now were much to seek: yet he could not understand or believe, that every ordinary court, or any court, had power to raise what guard they pleased, and under what command they pleased. Neither could he imagine, what dangerous effects they found by the guard he appointed them; or indeed any the least occasion, why they needed a guard at all.

"But of all the imputations, so causelessly and unjustly laid upon his majesty by that declaration, he said, he must wonder at that charge so apparently and evidently untrue; that such were continually preferred and countenanced by him, who were friends or favourers, or related unto the chief authors and actors of that arbitrary power heretofore practised, and complained of: and, on the other side, that such as did appear against it were daily discountenanced and disgraced. He said, he would know one person that contributed to the ills of those times, or had dependence upon those that did, whom he did, or lately had countenanced, or preferred; nay he was confident, (and he looked for no other at their hands,) as they had been always most eminent assertors of the public liberties; so, if they found his majesty inclined to any thing not agreeable to honour and justice, they would leave him to-morrow. Whether different persons had not, and did not receive countenance elsewhere, and upon what grounds, all men

"might judge; and whether his majesty had not been forward enough to honour and prefer those of the most contrary opinion, how little comfort soever he had of those preferments, in bestowing of which, hereafter, he would be more guided by men's actions than opinions. And therefore he had good cause to bestow that admonition (for his majesty assured them, it was an admonition of his own) upon both his houses of parliament, to take heed of inclining, under the specious shows of necessity and danger, to the exercise of such an arbitrary power, they before complained of: the advice would do no harm, and he should be glad to see it followed.

"His majesty asked, if all the specious promises, and loud professions, of making him a great and a glorious king; of settling a greater revenue upon his majesty, than any of his ancestors had enjoyed; of making him to be honoured at home, and feared abroad; were resolved into this; that they would be ready to settle his revenue in an honourable proportion, when he should put himself in such a posture of government, that his subjects might be secure to enjoy his just protection for their religion, laws, and liberties? What posture of government they intended, he knew not; nor could he imagine what security his good subjects could desire for their religion, laws, and liberties, which he had not offered, or fully given. And was it suitable to the duty and dignity of both houses of parliament to answer his particular, weighty expressions of the causes of his remove from London, so generally known to the kingdom, with a scoff; that they hoped he was driven from thence, not by his own fears, but by the fears of the lord Digby, and his retinue of cavaliers? Sure, his majesty said, the penner of that declaration inserted that ungrave and insolent expression, as he had done divers others, without the consent or examination of both houses; who would not so lightly have departed from their former professions of duty to his majesty.

"Whether the way to a good understanding between his majesty and his people had been as zealously pressed by them, as it had been professed and desired by him, would be easily discerned by them who observed that he had left no public act undone on his part, which, in the least degree, might be necessary to the peace, plenty, and security of his subjects: and that they had not despatched one act, which had given the least evidence of their particular affection and kindness to his majesty; but, on the contrary, had discountenanced and hindered the testimony other men would give to him of their affections. Witness the stopping, and keeping back, the bill of subsidies, granted by the clergy almost a year since; which, though his personal wants were so notoriously known, they would not, to that time, pass; so not only forbearing to supply his majesty themselves, but keeping the love and bounty of other men from him; and afforded no other answers to all his desires, all his reasons, (indeed not to be answered,) than that he must not make his understanding, or reason, the rule of his government; but suffer himself to be assisted (which his majesty never denied) by his great council. He said, he required no other liberty to his will, than the meanest of them did, (he wished they would

"always use that liberty,) not to consent to any thing evidently contrary to his conscience and understanding: and he had, and should always give as much estimation and regard to the advice and counsel of both houses of parliament, as ever prince had done: but he should never, and he hoped his people would never, account the contrivance of a few factious, seditious persons, a malignant party, who would sacrifice the commonwealth to their own fury and ambition, the wisdom of parliament; and that the justifying and defending of such persons (of whom, and of their particular, sinister ways, to compass their own bad ends, his majesty would shortly inform the world) was not the way to preserve parliaments, but was the opposing, and preferring a few unworthy persons, before their duty to their king, or their care of the kingdom. They would have his majesty remember, that his resolutions did concern kingdoms, and therefore not to be moulded by his own understanding: he said, he did well remember it; but he would have them remember, that when their consultations endeavoured to lessen the office and dignity of a king, they meddled with that which is not within their determination, and of which his majesty must give an account to God, and his other kingdoms, and must maintain with the sacrifice of his life.

"Lastly, that declaration told the people of a present, desperate, and malicious plot the malignant party was then acting, under the plausible notions of stirring men up to a care of preserving the king's prerogative; maintaining the discipline of the church, upholding and continuing the reverence and solemnity of God's service; and encouraging learning, (indeed plausible and honourable notions to act any thing upon,) and that upon those grounds divers mutinous petitions had been framed in London, Kent, and other places: his majesty asked upon what grounds these men would have petitions framed? Had so many petitions, even against the form and constitution of the kingdom, and the laws established, been joyfully received and accepted? And should petitions framed upon those grounds be called mutinous? Had a multitude of mean, unknown, inconsiderable, contemptible persons, about the city and suburbs of London, had liberty to petition against the government of the church; against the Book of Common-Prayer; against the freedom and privilege of parliament; and been thanked for it; and should it be called mutiny, in the gravest and best citizens of London, in the gentry and commonalty of Kent, to frame petitions upon those grounds; and to desire to be governed by the known laws of the land, not by orders and votes of either, or both houses? Could this be thought the wisdom and justice of both houses of parliament? Was it not evidently the work of a faction, within or without both houses, who deceived the trust reposed in them; and had now told his majesty what mutiny was? To stir men up to a care of preserving his prerogative, maintaining the discipline of the church, upholding and continuing the reverence and solemnity of God's service, encouraging of learning, was mutiny. Let heaven and earth, God and man, judge between his majesty and these men: and however such petitions were there called mutinous; and the peti-

"tioners threatened, discountenanced, censured, and imprisoned; if they brought such petitions to his majesty, he would graciously receive them; and defend them, and their rights, against what power soever, with the uttermost hazard of his being."

"His majesty said, he had been the longer, to his very great pain, in this answer, that he might give the world satisfaction, even in the most trivial particulars, which had been objected against him; and that he might not be again reproached, with any more prudent omissions. If he had been compelled to sharper language than his majesty affected, it might be considered, how vile, how insufferable his provocations had been: and, except to repel force were to assault, and to give punctual and necessary answers to rough and insolent demands, were to make invectives, he was confident the world would accuse his majesty of too much mildness; and all his good subjects would think, he was not well dealt with; and would judge of his majesty, and of their own happiness, and security in him, by his actions; which he desired might no longer prosper, or have a blessing from God upon them, and his majesty, than they should be directed to the glory of God, in the maintenance of the true protestant profession, to the preservation of the property and liberty of the subject, in the observation of the laws; and to the maintenance of the rights and freedom of parliament, in the allowance and protection of all their just privileges."

This declaration was no sooner published, but his majesty likewise set forth an answer to that other declaration, of the twenty-sixth of May; in which he said, "that whosoever looked over the late remonstrance, entitled, *A Declaration of the Lords and Commons*, of the twenty-sixth of May, would not think that his majesty had great reason to be pleased with it; yet he could not but commend the plaindealing and ingenuity of the framers and contrivers of that declaration, (which had been wrought in a hotter and quicker forge than any of the rest,) who would no longer suffer his majesty to be affronted by being told, they would make him a great and glorious king, whilst they used all possible skill to reduce him to extreme want and indigency; and that they would make him to be loved at home, and feared abroad, whilst they endeavoured, by all possible ways, to render him odious to his good subjects, and contemptible to all foreign princes; but, like round dealing men, told him, in plain English, that they had done him no wrong, because he was not capable of receiving any; and that they had taken nothing from him, because he had never any thing of his own to lose. If that doctrine were true, and that indeed he ought to be of no other consideration, than they had informed his people in that declaration, that gentleman was much more excusable, that said publicly, unrepented, that the happiness of the kingdom did not depend on his majesty, or upon any of the royal branches of that root: and the other, who said, his majesty was not worthy to be king of England: language very monstrous to be allowed by either house of parliament; and of which, by the help of God, and the law, he must have some examination. But, he doubted not, all his good subjects did now plainly discern, through the

"mask and vizard of their hypocrisy, what their design was; and would no more look upon the framers and contrivers of that declaration, as upon both houses of parliament, (whose freedom and just privileges he would always maintain; and in whose behalf, he was as much scandalized as for himself,) but as a faction of malignant, schismatical, and ambitious persons; whose design was, and always had been, to alter the whole frame of government, both of church and state; and to subject both king and people to their own lawless, arbitrary power and government: of whose persons, and of whose design, his majesty said, he would, within a very short time, give his good subjects, and the world, a full, and, he hoped, a satisfactory narration."

"The contrivers and penners of that declaration (of whom his majesty would be only understood to speak, when he mentioned any of their undutiful acts against him) said, that the great affairs of the kingdom, and the miserable bleeding condition of the kingdom of Ireland, would afford them little leisure to spend their time in declarations, answers, and replies. Indeed, his majesty said, the miserable and deplorable condition of both kingdoms would require somewhat else at their hands: but he would gladly know how they had spent their time since the recess, (then almost eight months,) but in declarations, remonstrances, and invectives against his majesty and his government; or in preparing matter for them. Had his majesty invited them to any such expense of time, by beginning arguments of that nature? Their leisure, or their inclination, was not as they pretended: and what was their printing and publishing their petitions to him; their declarations and remonstrances of him; their odious votes and resolutions, sometimes of one, sometimes of both houses, against his majesty, (never in that manner communicated before this parliament,) but an appeal to the people? And, in God's name, let them judge of the persons they had trusted."

"Their first quarrel was (as it was always, to let them into their frank expressions of his majesty, and his actions) against the malignant party; whom they were pleased still to call, and never to prove to be, his evil counsellors. But indeed nothing was more evident, by their whole proceedings, than that, by the malignant party, they intended all the members of both houses who agreed not with them in their opinion, (thence had come their distinction of good and bad lords; of persons ill affected of the house of commons; who had been proscribed, and their names listed, and read in tumults,) and all the persons of the kingdom who approve not of their actions. So that, if in truth they would be ingenuous, and name the persons they intended; who would be the men, upon whom the imputation of malignity would be cast, but they who had stood stoutly and immutably for the religion, the liberties, the laws, for all public interest; (so long as there was any to be stood for;) they, who had always been, and still were, as zealous professors, and some of them as able, and earnest defenders of the protestant doctrine against the church of Rome, as any were; who had often and earnestly besought his majesty to consent, that no indif-

“ferent and unnecessary ceremony might be pressed upon weak and tender consciences, and that he would agree to a bill for that purpose? They to whose wisdom, courage, and counsel, the kingdom owed as much as it could to subjects; and upon whose unblemished lives, envy itself could lay no imputation; nor endeavoured to lay any, until their virtues brought them to his majesty's knowledge and favour? His majesty said, if the contrivers of that declaration would be faithful to themselves, and consider all those persons of both houses, whom they, in their own consciences, knew to dissent from them in the matter and language of that declaration, and in all those undutiful actions, of which he complained, they would be found in honour, fortune, wisdom, reputation, and weight, if not in number, much superior to them. So much for the evil counsellors.

“Then what was the evil counsel itself? His majesty's coming from London (where he, and many, whose affections to him were very eminent, were in danger every day to be torn in pieces) to York; where his majesty, and all such as would put themselves under his protection, might live, he thanked God and the loyalty and affection of that good people, very securely: his not submitting himself absolutely (and renouncing his own understanding) to the votes and resolutions of the contrivers of that declaration, when they told his majesty, that they were above him; and might, by his own authority, do with his majesty what they pleased: and his not being contented, that all his good subjects' lives and fortunes should be disposed of by their votes; but by the known law of the land. This was the evil counsel given, and taken: and would not all men believe, there needed much power and skill of the malignant party, to infuse that counsel into him? And then, to apply the argument the contrivers of that declaration made for themselves, was it probable, or possible, that such men, whom his majesty had mentioned, (who must have so great a share in the misery,) should take such pains in the procuring thereof; and spend so much time, and run so many hazards, to make themselves slaves, and to ruin the freedom of this nation?

“His majesty said, (with a clear and upright conscience to God Almighty,) whosoever harboured the least thought in his breast, of ruining or violating the public liberty, or religion of the kingdom, or the just freedom and privilege of parliament, let him be accused; and he should be no counsellor of his, that would not say *Amen*. For the contrivers of that declaration, he had not said any thing, which might imply any inclination in them to be slaves. That which he had charged them, was with invading the public liberty; and his presumption might be very strong and vehement, that, though they had no mind to be slaves, they were not unwilling to be tyrants: what is tyranny, but to admit no rules to govern by, but their own wills? And they knew the misery of Athens was at the highest, when it suffered under the thirty tyrants.

“His majesty said, if that declaration had told him, (as indeed it might, and as in justice it ought to have done,) that the precedents of any of his ancestors did fall short, and much below what had been done by him, this parliament, in point

“of grace and favour to his people; he should not otherwise have wondered at it, than at such a truth, in such a place. But when, to justify their having done more than ever their predecessors did, it told his good subjects, (as most injuriously and insolently it did,) that the highest and most unwarrantable precedents of any of his predecessors did fall short, and much below what had been done to them this parliament by him, he must confess himself amazed, and not able to understand them; and he must tell those ungrateful men, (who durst tell their king, that they might, without want of modesty and duty, depose him,) that the condition of his subjects, when, by whatsoever accidents and conjunctures of time, it was at worst under his power, unto which, by no default of his, they should be ever again reduced, was, by many degrees, more pleasant and happy, than that to which their furious pretence of reformation had brought them. Neither was his majesty afraid of the highest precedents of other parliaments, which those men boldly (his good subjects would call it worse) told him they might, without want of modesty or duty, make their patterns. If he had no other security against those precedents, but their modesty and duty, he was in a miserable condition, as all persons would be who depended upon them.

“That declaration would not allow his inference, that, by avowing the act of sir John Hotham, they did destroy the title and interest of all his subjects to their lands and goods; but confessed, if they were found guilty of that charge, it were indeed a very great crime. And did they not, in that declaration, admit themselves guilty of that very crime? Did they not say, Who doubts but that a parliament may dispose of any thing, wherein his majesty, or his subjects, had a right, in such a way as that the kingdom might not be in danger thereby? Did they not then call themselves this parliament, and challenge that power without his consent? Did they not extend that power to all cases, where the necessity or common good of the kingdom was concerned? And did they not arrogate to themselves alone, the judgment of that danger, that necessity, and that common good of the kingdom? What was, if that were not, to unsettle the security of all men's estates; and to expose them to an arbitrary power of their own? If a faction should at any time by cunning, or force, or absence, or accident, prevail over a major part of both houses; and pretend that there were evil counsellors, a malignant party about the king; by whom the religion and liberty of the kingdom were both in danger, (this they might do, they had done it then,) they might take away, be it from the king, or people, whatsoever they in their judgments should think fit. This was lawful; they had declared it so: let the world judge, whether his majesty had charged them unjustly; and whether they were not guilty of the crime, which themselves confessed (being proved) was a great one; and how safely his majesty might commit the power, those people desired, into their hands; who, in all probability, would be no sooner possessed of it, than they would revive that tragedy, which Mr. Hooker related of the anabaptists in Germany; who, talking of nothing but faith, and of the true fear of God, and that riches and honour were vanity; at first, upon the great opinion of their humility,

“zeal, and devotion, procured much reverence and estimation with the people; after, finding how many persons they had ensnared with their hypocrisy, they begun to propose to themselves to reform both the ecclesiastical and civil government of the state: then, because possibly they might meet with some opposition, they secretly entered into a league of association; and shortly after, finding the power they had gotten with the credulous people, enriched themselves with all kind of spoil and pillage; and justified themselves upon our Saviour's promise, *The meek shall inherit the earth*; and declared their title was the same which the righteous Israelites had to the goods of the wicked Egyptians: his majesty said, this story was worth the reading at large, and needed no application.

“But his majesty might by no means say, that he had the same title to his town of Hull, and the ammunition there, as any of his subjects had to their land or money: that was a principle, that pulled up the foundation of the liberty and property of every subject. Why? because the king's property in his towns, and in his goods bought with the public money, as they conceive his magazine at Hull to be, was inconsistent with the subjects' property in their lands, goods, and liberty. Did those men think, that as they assumed a power of declaring law, (and whatsoever contradicted that declaration broke their privileges,) so that they had a power of declaring sense and reason, and imposing logic and syllogisms on the schools, as well as law upon the people? Did not all mankind know that several men might have several rights and interests in the selfsame house and land, and yet neither destroy the other? Was not the interest of the lord paramount consistent with that of the mesne lord; and his with that of the tenant; and yet their properties or interests not at all confounded? And why might not his majesty then have a full, lawful interest and property in his town of Hull, and yet his subjects have a property in their houses too? But he could not sell, or give away, at his pleasure, this town and fort, as a private man might do his lands or goods. What then? Many men have no authority to let or set their leases, or sell their land; have they therefore no title to them, or interest in them? May they be taken from them, because they cannot sell them? He said, the purpose of his journey to Hull was neither to sell, or give it away.

“But for the magazine, the munition there, that he bought with his own money, he might surely have sold that, lent, or given it away. No; he bought it with the public money, and the proof is, they conceive it so; and, upon that conceit, had voted, that it should be taken from him. Excellent justice! Suppose his majesty had kept that money by him, and not bought arms with it, would they have taken it from him upon that conceit: nay, might they not, wheresoever that money was, (for through how many hands soever it hath passed, it is the public money still, if ever it were,) seize it, and take it from the owners? But the towns, forts, magazine, and kingdom, is intrusted to his majesty; and he is a person trusted. His majesty said, he was so; God, and the law, had trusted him; and he had taken an oath to discharge that trust, for the good and safety of the people. What oaths they had taken,

“he knew not, unless those, which, in that violence, they had manifestly, maliciously violated. Might any thing be taken from a man, because he is trusted with it? Nay, may the person himself take away the thing he trusts, when he will, and in what manner he will? The law had been otherwise, and, he believed, would be so held, notwithstanding their declarations.

“But that trust ought to be managed by their advice, and the kingdom had trusted them for that purpose. Impossible, that the same trust should be irrecoverably committed to his majesty, and his heirs for ever, and the same trust, and a power above that trust, (for so was the power they pretended,) be committed to others. Did not the people, that sent them, look upon them as a body but temporary, and dissoluble at his majesty's pleasure? And could it be believed, that they intended them for his guardians and controllers in the managing of that trust, which God, and the law, had granted to him, and to his posterity for ever? What the extent of the commission and trust was, nothing could better teach them than the writ, whereby they are met. His majesty said, he called them (and without that call they could not have come together) to be his counsellors, not commanders, (for, however they frequently confounded them, the offices were several,) and counsellors not in all things, but in some things, *de quibusdam arduis*, &c. And they would easily find among their precedents, that queen Elizabeth, upon whose time all good men looked with reverence, committed one Wentworth, a member of the house of commons, to the Tower, sitting the house, but for proposing that they might advise the queen in a matter she thought they had nothing to do to meddle in. But his majesty is trusted: and is he the only person trusted? And might they do what their own inclination and fury led them to? Were they not trusted by his majesty, when he first sent for them; and were they not trusted by him, when he passed them his promise, that he would not dissolve them? Could it be presumed, (and presumptions go far with them,) that he trusted them with a power to destroy himself, and to dissolve his government and authority? If the people might be allowed to make an equitable construction of the laws and statutes, a doctrine avowed by them, would not all his good subjects swear, he never intended by that act of continuance, that they should do what they have since done? Were they not trusted by those that sent them? And were they trusted to alter the government of church and state; and to make themselves perpetual dictators over the king and people? Did they intend, that the law itself should be subject to their votes; and that whatsoever they said, or did, should be lawful, because they declared it so? The oaths they had taken who sent them, and without taking which, themselves were not capable of their place in parliament, made the one incapable of giving, and the other of receiving such a trust; unless they could persuade his good subjects, that his majesty is the only supreme head and governor in all causes, and over all persons, within his dominions; and yet that they had a power over him to constrain him to manage his trust, and govern his power, according to their discretion.

"The contrivers of that declaration told his majesty, that they would never allow him (an humble and dutiful expression) to be judge of the law; that belonged only to them; they might, and must, judge and declare. His majesty said, they all knew what power the pope, under pretence of interpreting scriptures, and declaring articles of faith, though he decline the making the one or the other, had usurped over men's consciences; and that, under colour of having power of ordering all things for the good of men's souls, he entitles himself to all the kingdoms of the world: he would not accuse the framers of that declaration, (how bold soever they were with his majesty,) that they inclined to popery, of which another maxim was, that all men must submit their reason and understanding, and the scripture itself, to that declaring power of his: neither would he tell them, though they had told him so, that they use the very language of the rebels of Ireland: and yet they say those rebels declare, that whatsoever they do is for the good of the king and kingdom. But his good subjects would easily put the case to themselves, whether if the papists in Ireland in truth were, or, by art or accident, had made themselves the major part of both houses of parliament there; and had pretended the trust in that declaration from the kingdom of Ireland; thereupon had voted their religion and liberty to be in danger of extirpation from a malignant party of protestants and puritans; and therefore, that they would put themselves into a posture of defence; that the forts and the militia of that kingdom were to be put into the hands of such persons, as they could confide in; that his majesty was indeed trusted with the towns, forts, magazines, treasures, offices, and people of the kingdom, for the good, safety, and best advantage thereof; but as his trust is for the use of the kingdom, so it ought to be managed by the advice of both houses of parliament, whom the kingdom had trusted for that purpose, it being their duty to see it discharged according to the condition and true intent thereof, and by all possible means to prevent the contrary: his majesty said, let all his good subjects consider, if that rebellion had been plotted with all that formality, and those circumstances declared to be legal, at least, according to the equitable sense of the law, and to be for the public good, and justifiable by necessity, of which they were the only judges, whether, though they might have thought their design to be more cunning, they would believe it the more justifiable.

"Nay, let the framers of that declaration ask themselves, if the evil counsellors, the malignant party, the persons ill affected, the popish lords, and their adherents, should prove now, or hereafter, to be a major part of both houses, (for it had been declared, that a great part of both houses had been such, and so might have been the greater; nay, the greater part of the house of peers was still declared to be such, and his majesty had not heard of any of their conversion; and thereupon it had been earnestly pressed, that the major part of the lords might join with the major part of the house of commons,) would his majesty be bound to consent to all such alterations, as those men should propose to him, and resolve to be for the public good: and should

"the liberty, property, and security of all his subjects, depend on what such votes should declare to be law? Was the order of the militia unfit, and unlawful, whilst the major part of the lords refused to join in it, (as they had done two or three several times, and it was never heard, before this parliament, that they should be so, and so often pressed after a dissent declared,) and did it grow immediately necessary for the public safety, and lawful by the law of the land, as soon as so many of the dissenting peers were driven away, (after their names had been required at the bar, contrary to the freedom and foundation of parliament,) that the other opinion prevailed? Did the life and liberty of the subject depend upon such accidents of days, and hours, that it was impossible for him to know his right in either? God forbid.

"But now, to justify their invasion of his majesty's ancient, unquestioned, undoubted right, settled and established on his majesty and his posterity by God himself; confirmed and strengthened by all possible titles of compact, laws, oaths, perpetual and uncontradicted custom, by his people; what had they alleged to declare to the kingdom, as they say, the obligation that lieth upon the kings of this realm to pass all such bills, as are offered unto them by both houses of parliament? A thing never heard of till that day: an oath, (authority enough for them to break all theirs,) that is, or ought to be, taken by the kings of this realm, which is as well to remedy by law such inconveniences the king may suffer, as to keep and protect the laws already in being: and the form of this oath, they said, did appear upon a record there cited; and by a clause in the preamble of a statute, made in the 25th year of Edw. III.

"His majesty said, he was not enough acquainted with records to know whether that were fully and ingenuously cited; and when, and how, and why, the several clauses had been inserted, or taken out of the oaths formerly administered to the kings of this realm: yet he could not possibly imagine the assertion that declaration made, could be deduced from the words or the matter of that oath: for unless they had a power of declaring Latin, as well as law, sure, *elegerit*, signified *hath* chosen, as well as *will* choose; and that it signified so there, (besides the authority of the perpetual practice of all succeeding ages; a better interpreter than their votes,) it was evident, by the reference it had to customs, *consuetudines quas vulgus elegerit*: and could that be a custom, which the people should choose after this oath taken? And should a king be sworn to defend such customs? Besides, could it be imagined, that he should be bound by oath to pass such laws, (and such a law was the bill they brought to him of the militia,) as should put the power, wherewith he was trusted, out of himself, into the hands of other men; and divert and disable himself of all possible power to perform the great business of the oath; which was to protect them? If his majesty gave away all his power, or if it were taken from him, he could not protect any man: and what discharge would it be for his majesty, either before God or man, when his good subjects, whom God, and the law, had committed to his charge, should be worried and spoiled, to say that he trusted others to pro-

"tect them? That is, to do that duty for him, which was essentially and inseparably his own. But that all his good subjects might see how faithfully these men, who assumed this trust from them, desired to discharge their trust; he would be contented to publish, for their satisfaction, (a matter notorious enough, but what he himself never thought to have been put to publish, and of which the framers of that declaration might as well have made use, as of a Latin record they knew many of his good subjects could not, and many of themselves did not understand,) the oath itself he took at his coronation, warranted and enjoined to it by the customs and directions of his predecessors; and the ceremony of theirs, and his taking it; they might find it in the records of the exchequer; this it is:

The sermon being done, the archbishop goeth to the king, and asks his willingness to take the oath usually taken by his predecessors:

The king sheweth himself willing, ariseth and goeth to the altar; the archbishop administereth these questions, and the king answers them severally:

*Episcopus.* Sir, will you grant and keep, and by your oath confirm to the people of England, the laws and customs to them granted by the kings of England, your lawful and religious predecessors: and namely the laws, customs, and franchises granted to the clergy, by the glorious king saint Edward, your predecessor, according to the laws of God, the true profession of the gospel established in this kingdom, and agreeable to the prerogative of the kings thereof, and the ancient customs of this realm?

*Rez.* I grant, and promise to keep them.

*Episo.* Sir, will you keep peace, and godly agreement entirely, (according to your power,) both to God, the holy church, the clergy, and the people?

*Rez.* I will keep it.

*Episc.* Sir, will you, (to your power,) cause law, justice, and discretion, in mercy and truth, to be executed in all your judgments?

*Rez.* I will.

*Episc.* Sir, will you grant to hold, and keep the laws, and rightful customs, which the commonalty of this your kingdom have; and will you defend and uphold them to the honour of God, so much as in you lieth?

*Rez.* I grant, and promise so to do.

Then one of the bishops reads this admonition to the king, before the people, with a loud voice.

Our lord and king, we beseech you to pardon, and to grant, and to preserve unto us, and to the churches committed to our charge, all canonical privileges, and due law, and justice; and that you would protect and defend us, as every good king, in his kingdom, ought to be protector and defender of the bishops, and the churches under their government.

The king answereth:

With a willing and devout heart I promise, and grant my pardon; and that I will preserve and maintain to you, and the churches committed to your charge, all canonical privileges, and due law, and justice; and that I will be your protector and defender, to my power, by the assistance of God, as every good king, in his kingdom, in right ought to protect and defend the bishops, and churches under their government.

Then the king ariseth, and is led to the communion table: where he makes a solemn oath, in sight of all the people, to observe the premises; and, laying his hand upon the book, saith:

THE OATH.

The things which I have before promised, I shall perform, and keep: so help me God, and the contents of this book.

His majesty said, "all the world might judge, whether such doctrine, or such conclusions, as those men brought, could follow, or have the least pretence, from that oath: for the preamble of the statute they cited, that told his majesty, that the king was bound to remedy, by law, the mischiefs and damages which happen to his people: his majesty said, he was so; but asked, whether the king were bound, by the preamble of that statute, to renounce his own judgment, his own understanding in those mischiefs, and of these remedies? How far forth he was obliged to follow the judgment of his parliament, that declaration still confessed to be a question. Without question, he said, none could take upon them to remedy even mischiefs, but by law, for fear of greater mischiefs than those they go about to remedy.

"But his majesty was bound in justice to consent to their proposals, because there was a trust reposed in his majesty to preserve the kingdom, by making new laws: he said, he was glad there was so; then he was sure no new law could be made without his consent; and that the gentleness of his answer, *Le roy s'aviserà*, if it be no denial, it is no consent; and then the matter was not great. They would yet allow his majesty a greater latitude of granting, or denying, as he should think fit, in public acts of grace, as pardons, or the like grants of favour: why did they so? If those pardons, and public acts of grace, were for the public good, (which they might vote them to be,) they would then be absolutely in their own disposal; but had they left that power to his majesty? They had sure, at least, shared it with him; how else had they got the power to pardon sergeant-major-general Skippon, (a new officer of state, and a subject his majesty had no authority to send to speak with,) and all other persons employed by them, and such as had employed themselves for them, not only for what they had done, but for what they should do? If they had power to declare such actions to be no treason, which his majesty would not pardon; such actions to be treason, which need no pardon; the latitude they allowed his majesty of granting, or denying of pardons, was a jewel they might still be content to suffer his majesty to wear in his crown, and never think themselves the more in danger.



"All this considered, the contriver of that message, (since they would afford his majesty no better title,) whom they were angry with, did not conceive the people of this land to be so void of common sense, as to believe his majesty, who had denied no one thing for the ease and benefit of them, which in justice or prudence could be asked, or in honour and conscience could be granted, to have cast off all care of the subject's good; and the framers and devisers of that declaration (who had endeavoured to render his majesty odious to his subjects, and them disloyal to him, from pretending such a trust in them) to have only taken it up: neither, he was confident, would they be satisfied, when they felt the misery and the burdens, which the fury and the malice of those people would bring upon them, with being told that calamity proceeded from evil counsellors, whom nobody could name; from plots and conspiracies, which no man could discover; and from fears and jealousies, which no man understood: and therefore, that the consideration of it should be left to the conscience, reason, affection, and loyalty of his good subjects, who do understand the government of this kingdom, his majesty said, he was well content.

"His majesty asked, where the folly and madness of those people would end, who would have his people believe, that his absenting himself from London, where, with his safety, he could not stay, and the continuing his magazine at Hull, proceeded from the secret plots of the papists here, and to advance the design of the papists in Ireland? But it was no wonder that they, who could believe sir John Hotham's shutting his majesty out of Hull, to be an act of affection and loyalty, would believe that the papists, or the Turk, persuaded him to go thither.

"And could any sober man think that declaration to be the consent of either, or both houses of parliament, unawed either by fraud or force; which (after so many thanks, and humble acknowledgments of his gracious favour in his message of the twentieth of January, so often, and so unanimously presented to his majesty from both houses of parliament) now told him, that the message at first was, and, as often as it had been since mentioned by him, had been a breach of privilege, (of which they had not used to have been so negligent, as in four months not to have complained, if such a breach had been,) and that their own method of proceeding should not be proposed to them: as if his majesty had only authority to call them together, not to tell them what they were to do, not so much as with reference to his own affairs. What their own method had been, and whither it had led them, and brought the kingdom, all men see; what his would have been, if seasonably and timely applied unto, all men might judge; his majesty would speak no more of it.

"But see now what excellent instances they had found out, to prove an inclination, if not in his majesty, in some about him, to civil war: their going with his majesty to the house of commons, (so often urged, and so fully answered,) their attending on him to Hampton-court, and appearing in a warlike manner at Kingston upon Thames; his going to Hull; their drawing their swords at York, demanding, who would be for

the king? the declaring sir John Hotham traitor, before the message sent to the parliament; the propositions to the gentry in Yorkshire, to assist his majesty against sir John Hotham, before he had received an answer from the parliament: all desperate instances of an inclination to a civil war. Examine them again: the manner and intent of his going to the house of commons, he had set forth at large, in his answer to their declaration of the nineteenth of May; all men might judge of it. Next, did they themselves believe, to what purpose soever that rumour had served their turn, that there was an appearance in warlike manner at Kingston upon Thames? Did they not know, that whosoever his majesty had been at Hampton-court, since his first coming to the crown, there was never a less appearance, or in a less warlike manner, than at the time they meant? He said, he would say no more, but that his appearance in a warlike manner at Kingston upon Thames, and theirs at Kingston upon Hull, was very different. What was meant by the drawing of swords at York, and demanding, who would be for the king, must be inquired at London; for, his majesty believed, very few in York understood the meaning of it. For his going to Hull, which they would by no means endure should be called a visit, whether it were not the way to prevent, rather than to make a civil war, was very obvious: and the declaring him a traitor in the very act of his treason, would never be thought unseasonable, but by those who believed him to be a loving and loyal subject; no more than the endeavouring to make the gentlemen of that county sensible of that treason, (which they were in an honourable and dutiful degree,) before he received the answer from both houses of parliament: for, if they had been, as his majesty expected they should have been, sensible of that intolerable injury offered to him, might he not have had occasion to have used the affection of these gentlemen? Was he sure that sir John Hotham, who had kept him out without their order, (he spake of a public order,) would have let him in, when they had forbidden him? And if they had not such a sense of him, (as the case falls out to be,) had he not more reason to make propositions to those gentlemen, whose readiness and affection he, or his posterity, would never forget?

"But this business of Hull sticks still with them; and finding his questions hard, they are pleased to answer his majesty, by asking other questions of him: no matter for the exceptions against the earl of Newcastle, (which have been so often urged, as one of the principal grounds of their fears and jealousies; and which drew that question from him,) they asked his majesty, why, when he held it necessary that a governor should be placed in Hull, sir John Hotham should be refused by him, and the earl of Newcastle sent down? His majesty answered, because he had a better opinion of the earl of Newcastle than of sir John Hotham; and desired to have such a governor over his towns, if he must have any, as should keep them for, and not against him: and if his going down were in a more private way than sir John Hotham's, it was because he had not that authority to make a noise, by levying and billeting of soldiers, in a



"peaceable time, upon his good subjects, as it seemed sir John Hotham carried down with him. And the imputation which is cast by the way upon that earl, to make his reputation not so unblemished, as he conceived, and the world believes it to be; and which, though it was not ground enough for judicial proceeding, (it is wonder it was not,) was yet ground enough of suspicion, must be the case of every subject in England, (and he wished it went no higher,) if every vile aspersion, contrived by unknown hands, upon unknown or unimaginable grounds, which is the way practised to bring any virtuous and deserving men into obloquy, should receive the least credit or countenance in the world.

"They tell him, their exception to those gentlemen, who delivered their petition to him at York, was, that they presumed to take the style upon them of all the gentry and inhabitants of that county; whereas, they say, so many more of as good quality as themselves, of that county, were of another opinion; and have since, by their petition to his majesty, disavowed that act. Their information in that point, his majesty said, was no better than it useth to be; and they would find, that neither the number or the quality of those who have, or will disavow that petition, was as they imagine; though too many weak persons were misled (which they did, and would every day more and more understand) by the faction, skill, and industry of that true malignant party, of which he did, and had reason to complain. They said, they had received no petition of so strange a nature: what nature? Contrary to the votes of both houses: that is, they had received no petition they had no mind to receive. But his majesty had told them again, and all his good subjects would tell them, that they had received petitions, with joy and approbation, against the votes of both houses of their predecessors, confirmed and established into laws by the consent of his majesty, and his ancestors; and allowed those petitions to carry the style, and to seem to carry the desires of cities, towns, and counties, when, of either city, town, or county, very few known or considerable persons had been privy to such petitions: whereas, in truth, the petitions delivered to his majesty, against which they except, carried not the style of all, but some of the gentry and inhabitants; and implied no other consent, than such as went visibly along with it.

"But his majesty was all this while in a mistake; the magazine at Hull was not taken from him. Who told them so? They who assure them, (and whom without breaking their privileges they must believe,) that sir John Hotham's shutting the gates against his majesty, and resisting his entrance with armed men, (though he thought it in defiance of him,) was indeed in obedience to him, and his authority; and for his service, and the service of the kingdom. He was to let none in, but such as came with his majesty's authority, signified by both houses of parliament: himself and they had ordered it so. And therefore he kept his majesty out, only till his majesty, or he himself, might send for their directions. His majesty said, he knew not whether the contrivers of that declaration meant, that his good subjects should so soon understand, though it was plain enough to be under-

stood, the meaning of the king's authority, signified by both houses of parliament: but sure the world would now easily discern in what miserable case he had, by this time, been, (it is bad enough as it is,) if he had consented to their bill, or to their ordinance of the militia, and given those men power to have raised all the arms of the kingdom against him, for the common good, by his own authority: would they not, as they had kept him from Hull, by this time have beaten him from York, and pursued him out of the kingdom, in his own behalf? Nay, might not this munition, which is not taken from him, be employed against him; not against his authority, signified by both houses of parliament, but only to kill those ill counsellors, the malignant party, which is about him, and yet for his good, for the public good, (they would declare it so,) and so no treason within the statute of 25 Ed. III.? which, "by their interpretation, had left his majesty, the king of England, absolutely less provided for, in point of safety, than the meanest subject of the kingdom: and every subject of this land (for whose security that law was made, that they may know their duty, and their danger in breaking of it) may be made a traitor when these men please to say, he is so. But did they think that, upon such an interpretation, (upon pretence of authority of book cases and precedents, which, without doubt, they would have cited, if they had been to their purpose,) out of which nothing can result, but confusion to king and people, would find any credit with his good subjects? And that so excellent a law, made both for security of king and people, shall be so eluded, by an interpretation no learned lawyer in England would at this hour, he believed, set under his hand, notwithstanding the authority of that declaration; which, he hoped, shall bring nothing but infamy upon the contrivers of it?

"Now to their privileges: though it be true, they say, that their privileges do not extend to treason, felony, or breach of the peace, so as to exempt the members from all manner of process and trial; yet it doth privilege them in the way or method of their trial: the cause must be first brought before them, and their consent asked, before you can proceed. Why then their privileges extend as far in these cases, as in any that are most unquestioned; for no privilege whatsoever exempts them from all manner of process and trial, if you first acquaint the house with it, and they give you leave to proceed by those processes, or to that trial: but, by this rule, if a member of either house commit a murder, you must by no means meddle with him, till you have acquainted that house of which he is a member, and received their direction for your proceeding, assuring yourself, he will not stir from that place where you left him, till you return with their consent; should it be otherwise, it would be in the power of every man, under the pretence of murder, to take one after another, and as many as he pleaseth; and so, consequently, bring a parliament to what he pleaseth, when he pleaseth. If a member of either house shall take a purse at York, (he may as probably take a purse from a subject, as arms against the king,) you must ride to London, to know what to do, and he may ride with you, and take a new

"purse every stage, and must not be apprehended, or declared a felon, till you have asked that house, of which he is a member; should it be otherwise, it might be in every man's power to accuse as many members as he would of taking purses; and so bring a parliament, and so all parliaments, to nothing. Would these men be believed? And yet they make no doubt but every one, who hath taken the protestation, would defend this doctrine with his life and fortune. Would not his subjects believe, that they had imposed a pretty protestation upon them; and that they had a very good end in the doing of it, if it obligeth them to such hazards, to such undertakings? Must they forget or neglect his majesty's person, honour, and estate, which, by that protestation, they are bound to defend; and, in some degree, do understand? And must they only venture their lives and fortunes to justify privileges they know not, or ever heard of before? Or are they bound by that protestation to believe, that the framers of that declaration have power to extend their own privileges, as far as they think fit; and to contract his majesty's rights, as much as they please; and that they are bound to believe them in either, and to venture their lives and fortunes in that quarrel?

"From declaring how mean a person his majesty is, and how much the kingdom hath been mistaken in the understanding of the statute of the 25 E. III. concerning treason, and that all men need not fear levying war against him, so they have their order to warrant them; they proceed, in the spirit of declaring, to certify his subjects in the mistakings, which, near one hundred and fifty years, have been received concerning the statute of the eleventh year of Hen. VII. ch. 1. (a statute all good subjects will read with comfort,) and tell them, that the serving of the king for the time being cannot be meant of Perkin Warbeck, or of any that should call himself king; but such a one as is allowed and received by the parliament in the behalf of the kingdom: and was not his majesty so allowed? However, through a dark mist of words, and urging their old privileges, (which, he hoped, he had sufficiently answered, and will be every day more confuted by the actions of his good subjects,) they conclude, that those that shall guide themselves by the judgment of parliament, which they say is their own, ought, whatsoever happen, to be secure, and free from all account and penalties, upon the ground and equity of that very statute: how far their own chancellors may help them in that equity, his majesty knew not; but by the help of God, and that good law, he would allow no such equity: so then, here is the doctrine of that declaration; and these are the positions of the contrivers of it.

1. That they have an absolute power of declaring the law; and that whatsoever they declare to be so, ought not to be questioned by his majesty, or any subject: so that all right and safety of him and his people must depend upon their pleasure.

2. That no precedents can be limits to bound their proceedings: so they may do what they please.

3. That a parliament may dispose of any thing, wherein the king or subject hath a right, for the public good; that they, without the king, are this parliament, and judge of this public good; and

that his majesty's consent is not necessary: so the life and liberty of the subject, and all the good laws made for the security of them, may be disposed of, and repealed by the major part of both houses at any time present, and by any ways and means procured so to be; and his majesty had no power to protect them.

4. That no member of either house ought to be troubled or meddled with for treason, felony, or any other crime, without the cause first brought before them, that they may judge of the fact, and their leave obtained to proceed.

5. That the sovereign power resides in both houses of parliament; and that his majesty had no negative voice: so then his majesty himself must be subject to their commands.

6. That the levying of forces against the personal commands of the king, (though accompanied with his presence,) is not levying war against the king; but the levying war against his laws and authority, (which they have power to declare, and signify,) though not against his person, is levying war against the king: and that treason cannot be committed against his person, otherwise than as he is intrusted with the kingdom, and discharging that trust; and that they have a power to judge, whether he discharges this trust or no.

7. That if they should make the highest precedents of other parliaments their patterns, there would be no cause to complain of want of modesty or duty in them; that is, they may depose his majesty when they will, and are not to be blamed for so doing.

"And now, as if the mere publishing of their resolutions would not only prevail with the people, but, in the instant, destroy all spirit and courage in his majesty to preserve his own right and honour,) they had since taken the boldness to assault him with certain propositions; which they call the most necessary effectual means for the removing those jealousies and differences between his majesty and his people; that is, that he would be content to divest himself of all his regal rights and dignities; be content with the title of a king, and suffer them, according to their discretion, to govern him and the kingdom, and to dispose of his children. How suitable and agreeable this doctrine and these demands were to the affection of his loving subjects, under whose trust these men pretend to say and do these monstrous things; and to design not only the ruin of his person, but of monarchy itself, (which, he might justly say, was more than ever was offered in any of his predecessors' times; for though the person of the king hath been sometimes unjustly deposed, yet the regal power was never, before this time, struck at,) he believes his good subjects would find some way to let them and the world know: and, from this time, such who had been misled, by their ill counsels, to have any hand in the execution of the militia, would see to what ends their service was designed; and therefore, if they should presume hereafter to meddle in it, they must expect, that he would immediately proceed against them as actual raisers of sedition, and as enemies to his sovereign power.

"His majesty said, he had done: and should now expect the worst actions these men had power to commit against him; worse words they could

"not give him: and he doubted not, but the major part of both houses of parliament, when they might come together with their honour and safety, (as well those who were surprised at the passing of it, and understood not the malice in it, and the confusion that must grow by it, if believed; as those who were absent, or involved,) would so far resent the indignity offered to his majesty, the dishonour to themselves, and the mischief to the whole kingdom, by that declaration; that they would speedily make the foul contrivers of it instances of their exemplary justice; and brand them, and their doctrine, with the marks of their perpetual scorn and indignation."

Whilst this answer and declaration of his majesty was preparing and publishing, which was done with all imaginable haste, and to which they made no reply till many months after the war was begun, they proceeded in all their counsels towards the lessening his majesty, both in reputation and power; and towards the improving their own interests: for the first, upon the advantage of their former vote, of the king's intention to levy war against his parliament, in the end of May they published orders, "That the sheriffs of the adjacent counties should hinder, and make stay of all arms and ammunition carrying towards York, until they had given notice thereof unto the lords and commons; and should have received their further direction; and that they should prevent the coming together of any soldiers, horse or foot, by any warrant of his majesty, without their advice or consent:" which they did, not upon any opinion that there would be any arms or ammunition carrying to his majesty, they having entirely possessed themselves of all his stores; or that they indeed believed, there was any commission or warrant to raise soldiers, which they well knew there was not; but that, by this means, their agents in the country (which many sheriffs and justices of peace were; and most constables, and inferior officers) might, upon this pretence, hinder the resorting to his majesty, which they did with that industry, that few, who, foreseeing the design of those orders, did not decline the great roads, and made not pretences of travelling to some other place, [and] travelled in any equipage towards his majesty, escaped without being stayed by such watches: and most that were so stayed, finding it no boot to attend the resolution or justice of the houses, who always commended the vigilance of their ministers, and did not expect they should be bound up by the letter of their orders, made shift to escape with their own persons, and were contented to leave their horses behind them; they who attended to be repaired by the justice of the houses, finding so many delays, and those delays to be so chargeable, and themselves exposed to so many questions, and such an inquisition, that they thought their liberty a great prize, whatever they left behind them.

For the improving their interest and dependence, though they had as much evidence of the affections of the city as could reasonably be expected; and, by their exercise of the militia, had united them in a firm bond, the communication of guilt; yet they well understood their true strength consisted in the rabble of the people; for the greatest part of the substantial and wealthy citizens, being not of their party, and except some expe-

dient were found out, whereby they might be involved, and concerned in their prosperity or ruin, they thought themselves not so much in truth possessed of that city, as they seemed to be. They had heard it said, that Edward IV. of England recovered the city of London, and by that the kingdom, by the vast debts that he owed there; men looking upon the helping of him to the crown, as the helping themselves to their money, which was else desperate. Upon this ground, they had taken the first opportunity of borrowing great sums of them, in the beginning of this parliament; when the richest and best affected men, upon a presumption that hereby the Scots' army would suddenly march into their own country, and the English as soon be disbanded, cheerfully furnished that money. Upon this ground they still forbore to repay those sums, disposing what was brought in upon the bills of subsidy, and other public bills, to other purposes. And now, to make themselves more sure of them, they borrowed another sum of 100,000*l.* of them, upon pretence of the great exigences of Ireland; which was their twoedged sword, to lead them into the liberty of laying what imputations they thought most convenient for their purposes, upon the king and queen; and to draw what money they thought fit from the city; and served them now to another important end, to raise soldiers; but that service itself, in order to suppressing the rebellion there, was not, in any degree, advanced. Having, by these means, thus provided for their main ends, they made the people believe they were preparing propositions to send to the king; and the people were yet so innocent as to believe, that they would never send propositions that were not reasonable: for though the unusual acts which had been done by the king, as the going to the house of commons, and demanding the members there, had put them into as unusual apprehensions; and those, by the warmth and heat of declarations and answers, had drawn from them, by degrees, another kind of language, than had before been used; yet most men believed, when those passions were digested, and that any propositions should be made by them, (which the king had long called for and invited,) that they could not but be such, as would open a door for that affection, confidence, duty, and trust, upon which the peace of the kingdom might be reasonably founded. And propositions they did send to the king, in the beginning of June; which were presented to his majesty, with great solemnity, by their committee resident there; which, in this place, are very necessary to be inserted in the very terms in which they were presented, as followeth:

*The humble petition and advice of both houses of parliament, with nineteen propositions and the conclusion, sent unto his majesty the second of June, 1642.*

"Your majesty's most humble and faithful subjects, the lords and commons in parliament, having nothing in their thoughts and desires, more precious and of higher esteem, next to the honour and immediate service of God, than the just and faithful performance of their duty to your majesty and this kingdom: and being very sensible of the great distractions and distempers, and of the imminent dangers and calamities, which those distractions and distempers are like

"to bring upon your majesty, and your subjects ;  
 " (all which have proceeded from the subtle in-  
 " formations, mischievous practices, and evil coun-  
 " sels of men disaffected to God's true religion ;  
 " your majesty's honour and safety ; and the pub-  
 " lic peace, and prosperity of your people ;) after  
 " a serious observation of the causes of those mis-  
 " chiefs, do, in all humility and sincerity, present  
 " to your majesty their most dutiful petition and  
 " advice : that, out of your princely wisdom for the  
 " establishing your own honour and safety, and  
 " gracious tenderness of the welfare and security  
 " of your subjects and dominions, you will be  
 " pleased to grant and accept these their humble  
 " desires and propositions, as the most necessary  
 " and effectual means, through God's blessing, of  
 " removing those jealousies and differences, which  
 " have unhappily fallen betwixt you and your  
 " people, and procuring both your majesty and  
 " them a constant course of honour, peace, and  
 " happiness.

*The propositions.*

1. " That the lords and others of your majesty's  
 " privy-council, and such great officers and  
 " ministers of state, either at home or beyond  
 " the seas, may be put from your privy-coun-  
 " cil, and from those offices and employments,  
 " excepting such as shall be approved by both  
 " houses of parliament : and that the persons,  
 " put into the places and employments of those  
 " that are removed, may be approved of by  
 " both houses of parliament : and that privy-  
 " counsellors shall take an oath, for the due  
 " execution of their places, in such form as  
 " shall be agreed upon by both houses of par-  
 " liament.
2. " That the great affairs of the kingdom may not  
 " be concluded, or transacted, by the advice of  
 " private men, or by any unknown, or unsworn  
 " counsellors ; but that such matters as con-  
 " cern the public, and are proper for the high  
 " court of parliament, which is your majesty's  
 " great and supreme council, may be debated,  
 " resolved, and transacted only in parliament,  
 " and not elsewhere : and such as shall pre-  
 " sume to do any thing to the contrary shall be  
 " reserved to the censure and judgment of par-  
 " liament : and such other matters of state, as  
 " are proper for your majesty's privy-council,  
 " shall be debated and concluded by such  
 " of the nobility, and others, as shall, from  
 " time to time, be chosen for that place, by  
 " approbation of both houses of parliament :  
 " and that no public act concerning the affairs  
 " of the kingdom, which are proper for your  
 " privy-council, may be esteemed of any valid-  
 " ity, as proceeding from the royal authority,  
 " unless it be done by the advice and consent  
 " of the major part of the council, attested  
 " under their hands : and that your council  
 " may be limited to a certain number, not ex-  
 " ceeding twenty-five, nor under fifteen : and  
 " if any counsellor's place happen to be void in  
 " the interval of parliament, it shall not be sup-  
 " plied without the assent of the major part of  
 " the council ; which choice shall be confirmed  
 " at the next sitting of parliament, or else to  
 " be void.
3. " That the lord high steward of England, lord  
 " high constable, lord chancellor, or lord keeper  
 " of the great seal, lord treasurer, lord privy

" seal, earl marshal, lord admiral, warden of  
 " the cinque ports, chief governor of Ireland,  
 " chancellor of the exchequer, master of the  
 " wards, secretaries of state, two chief justices  
 " and chief baron, may always be chosen with  
 " the approbation of both houses of parliament ;  
 " and, in the intervals of parliaments, by assent  
 " of the major part of the council, in such  
 " manner as is before expressed in the choice  
 " of counsellors.

4. " That he, or they, unto whom the government  
 " and education of the king's children shall be  
 " committed, shall be approved of by both  
 " houses of parliament ; and, in the intervals  
 " of parliaments, by the assent of the major  
 " part of the council, in such manner as is  
 " before expressed in the choice of counsellors ;  
 " and that all such servants as are now about  
 " them, against whom both houses shall have  
 " any just exceptions, shall be removed.
5. " That no marriage shall be concluded, or  
 " treated, for any of the king's children, with  
 " any foreign prince, or other person whatso-  
 " ever, abroad or at home, without the consent  
 " of parliament, under the penalty of a præmu-  
 " nire, unto such as shall conclude or treat  
 " any marriage as aforesaid : and that the said  
 " penalty shall not be pardoned, or dispensed  
 " with, but by the consent of both houses of  
 " parliament.
6. " That the laws in force against Jesuits, priests,  
 " and popish recusants, be strictly put in exe-  
 " cution, without any toleration, or dispensa-  
 " tion to the contrary : and that some more  
 " effectual course may be enacted, by authority  
 " of parliament, to disable them from making  
 " any disturbance in the state ; or eluding the  
 " laws by trusts, or otherwise.
7. " That the votes of popish lords in the house of  
 " peers may be taken away, so long as they  
 " continue papists : and that your majesty will  
 " consent to such a bill, as shall be drawn, for  
 " the education of the children of papists, by  
 " protestants, in the protestant religion.
8. " That your majesty will be pleased to consent,  
 " that such a reformation be made of the  
 " church-government and liturgy, as both  
 " houses of parliament shall advise ; wherein  
 " they intend to have consultations with di-  
 " vines, as is expressed in their declaration  
 " to that purpose : and that your majesty will  
 " contribute your best assistance to them, for  
 " the raising of a sufficient maintenance for  
 " preaching ministers through the kingdom :  
 " and that your majesty will be pleased to give  
 " your consent to laws for the taking away of  
 " innovations, and superstition, and of plurali-  
 " ties, and against scandalous ministers.
9. " That your majesty will be pleased to rest  
 " satisfied with that course, that the lords and  
 " commons have appointed, for ordering of the  
 " militia, until the same shall be further settled  
 " by a bill : and that your majesty will recall  
 " your declarations and proclamations against  
 " the ordinance made by the lords and com-  
 " mons concerning it.
10. " That such members of either house of parlia-  
 " ment, as have, during this present parliament,  
 " been put out of any place and office, may  
 " either be restored to that place and office, or  
 " otherwise have satisfaction for the same, upon

- "the petition of that house, whereof he or they are members.
11. "That all privy-counsellors and judges may take an oath, the form whereof to be agreed on and settled by act of parliament, for the maintaining of the Petition of Right, and of certain statutes made by this parliament, which shall be mentioned by both houses of parliament; and that an inquiry of all breaches and violations of those laws may be given in charge by the justices of the king's bench every term, and by the judges of assize at their circuits, and justices of the peace at the sessions, to be presented and punished according to law.
  12. "That all the judges, and all the officers, placed by approbation of both houses of parliament, may hold their places *quamdiu bene se gesserint*.
  13. "That the justice of parliament may pass upon all delinquents, whether they be within the kingdom, or fled out of it: and that all persons cited by either house of parliament may appear, and abide the censure of parliament.
  14. "That the general pardon, offered by your majesty, may be granted with such exceptions, as shall be advised by both houses of parliament.
  15. "That the forts and castles of this kingdom may be put under the command and custody of such persons, as your majesty shall appoint, with the approbation of your parliament; and, in the intervals of parliament, with approbation of the major part of the council, in such manner as is before expressed in the choice of counsellors.
  16. "That the extraordinary guards, and military forces now attending your majesty, may be removed and discharged: and that, for the future, you will raise no such guards or extraordinary forces, but, according to the law, in case of actual rebellion, or invasion.
  17. "That your majesty will be pleased to enter into a more strict alliance with the states of the United Provinces, and other neighbour princes and states of the protestant religion, for the defence and maintenance thereof, against all designs and attempts of the pope, and his adherents, to subvert and suppress it; whereby your majesty will obtain great access of strength and reputation, and your subjects be much encouraged and enabled, in a parliamentary way, for your aid, and assistance, in restoring your royal sister, and her princely issue, to those dignities and dominions, which belong unto them; and relieving the other distressed protestant princes, who have suffered in the same cause.
  18. "That your majesty will be pleased by act of parliament to clear the lord Kimbolton, and the five members of the house of commons, in such manner that future parliaments may be secured from the consequence of that evil precedent.
  19. "That your majesty will be graciously pleased to pass a bill for restraining peers made hereafter, from sitting or voting in parliament, unless they be admitted thereunto with the consent of both houses of parliament.

"And these our humble desires being granted

"by your majesty, we shall forthwith apply ourselves to regulate your present revenue, in such sort as may be for your best advantage; and likewise to settle such an ordinary and constant increase of it, as shall be sufficient to support your royal dignity in honour, and plenty, beyond the proportion of any former grants of the subjects of this kingdom to your majesty's royal predecessors: we shall likewise put the town of Hull into such hands, as your majesty shall appoint with the consent and approbation of parliament; and deliver up a just account of all the magazine; and cheerfully employ the uttermost of our power and endeavours, in the real expression, and performance of our most dutiful and loyal affections, to the preserving and maintaining the royal honour, greatness, and safety of your majesty, and your posterity."

The same day that these articles of deposition were passed the houses, that his majesty might see how unable he was like to be to contend with them, they declared by an order the same day, printed, and carefully dispersed, "that they had received information," (and indeed their informations were wonderful particular, from all parts beyond sea, of whatsoever was agitated on the king's behalf; as well as from his court, of whatsoever was designed, or almost but thought of to himself: besides they could pretend to receive information of whatsoever would any way conduce to their purpose, true or false,) "that the jewels of the crown (which, they said, by the law of the land ought not to be aliened) were either pawned or sold in Amsterdam, or some other parts beyond the seas; and thereby great sums of money provided to be returned to York, or to some of his majesty's servants or agents, for his majesty's use: and because, they said, it was more than probable, that great provision of monies, in such an extraordinary way, was to maintain the intended war against the parliament, and thereby to bring the whole kingdom into utter ruin, and combustion; it was therefore declared, by the lords and commons in parliament, that whosoever had been, or should be, an actor in the selling or pawning of any jewels of the crown; or had, or should pay, lend, send, or bring any money in specie into this kingdom, for or upon any of those jewels; or whosoever had, or should accept of any bill from beyond the seas for the payment of any sum of money, for or upon any of those jewels, and should pay any sum according to such bill, after notice of that order, without acquainting that house with the receipt of that bill, before he accept the same; or if he had already accepted any such bill, then with the acceptance thereof, before the payment of the money, every such person should be held and accounted a promoter of that intended war, an enemy to the state, and ought to give satisfaction for the public damage out of his own estate."

Upon this confident assumption, "that it was not in the king's power to dispose the jewels of the crown; that whatsoever jewels were offered to be pawned or sold, by any of the king's ministers beyond the seas, were the jewels of the crown, and no other; and that all money, returned from thence for his majesty's service, was money so raised and procured;" they so

much terrified men of all conditions, that the queen, having, by the sale of some of her own jewels, and by her other dexterity, procured some money for the king's supply, she could not, in a long time, find any means to transmit it. However, this made no impression upon the king's resolutions; and though it might have some influence upon merchantly men, yet it stirred up most generous minds to an indignation on the king's behalf; and was new evidence, if there had wanted any, what kind of greatness he was to expect from complying with such immodest and extravagant proposers.

The king was once resolved to have returned no answer to them upon those propositions; but to let the people alone to judge of the unreasonableness of them, and of the indignity offered to him in the delivery of them; and that was the reason of the short mention he made of them, in the close of his declaration to theirs of the twenty-sixth of May: but he was afterwards persuaded to vouchsafe a further notice of them, there being some particulars popular enough, and others, that, at the first view, seemed not altogether so derogatory to him, and so inconvenient to the people, as in truth they were; and that therefore it was necessary to let all the people know, that whatsoever was reasonable, and might be beneficial to the kingdom, had been for the most part before offered by his majesty; and should all be readily granted by him; and so to unfold the rest to them, that they might discern their own welfare, and security, to be as much endangered by those demands, as the king's rights, honour, and dignity: so that, in a short time after he received them, he sent to the two houses, and published to the kingdom, his answer to those nineteen propositions.

"In which he first remembered them of their method, they had observed in their proceedings towards him: that they had first totally suppressed the known law of the land, and denied his power to be necessary to the making new, reducing the whole to their own declarations, and single votes: that they had possessed themselves of his magazines, forts, and militia: that they had so awed his subjects with pursuivants, long chargeable attendance; heavy censures; and illegal imprisonments; that few of them durst offer to present their tenderness of his majesty's sufferings, their own just grievances, and their sense of those violations of the law, (the birth-right of every subject of the kingdom,) though in an humble petition to both houses: and if any did, it was stifled in the birth; called sedition; and burned by the common hangman: that they had restrained the attendance of his ordinary and necessary household servants; and seized upon those small sums of money, which his credit had provided to buy him bread; with injunctions, that none should be suffered to be conveyed, or returned to his majesty to York, or to any of his peers, or servants with him; so that, in effect, they had blocked him up in that county: that they had filled the ears of his people with fears and jealousies, (though taken up upon trust,) tales of skippers, salt fleets, and such like; by which alarms they might prepare them to receive such impressions, as might best advance their design, when it should be ripe. And now, it seemed, they thought his majesty sufficiently prepared for those bitter pills; that he was in

"a handsome posture to receive those humble desires; which, probably, were intended to make way for a superfection of a yet higher nature; for they did not tell him, this was all. He said, he must observe, that those contrivers, (the better to advance their true ends,) in those propositions, disguised, as much as they could, their intents with a mixture of some things really to be approved by every honest man; others, specious and popular; and some which were already granted by his majesty: all which were cunningly twisted and mixed with those other things of their main design, of ambition and private interest, in hope that, at the first view, every eye might not so clearly discern them in their proper colours.

"His majesty said, if the 1, 2, 3, 4, 5, 9, 10, 15, 16, 19, demands had been writ, and printed, in a tongue unknown to his majesty and his people, it might have been possible, that he and they might have charitably believed the propositions to be such, as might have been in order to the ends pretended in the petition; to wit, the establishment of his honour and safety; the welfare and security of his subjects and dominions; and the removing those jealousies and differences, which were said to have unhappily fallen betwixt his majesty and his people; and procuring both his majesty and them a constant course of honour, peace, and happiness: but being read and understood by all, he could not but assure himself, that that profession, joined to those propositions, would rather appear a mockery, and a scorn; the demands being such, that he were unworthy of the trust reposed in him by the law, and of his descent from so many great and famous ancestors, if he could be brought to abandon that power, which only could enable him to perform what he was sworn to, in protecting his people, and the laws; and so assume others into it, as to divest himself of it, although not only his present condition were more necessitous than it was, (which it could hardly be,) and he were both vanquished, and a prisoner, and in a worse condition than ever the most unfortunate of his predecessors had been reduced to, by the most criminal of their subjects; and though the bait laid to draw him to it, and to keep his subjects from indignation at the mention of it, the promises of a plentiful and unparalleled revenue, were reduced from generals (which signify nothing) to clear and certain particulars; since such a bargain would have but too great a resemblance of that of Esau's, if he would part with such flowers of his crown, as were worth all the rest of the garland, and had been transmitted to him from so many ancestors, and had been found so useful and necessary for the welfare and security of his subjects, for any present necessity, or for any low and sordid considerations of wealth and gain. And therefore, all men knowing that those accommodations are most easily made, and most exactly observed, that are grounded upon reasonable and equal conditions, his majesty had great cause to believe, that the contrivers of those propositions had no intention of settling any firm accommodation; but to increase those jealousies, and widen that division, which, not by his majesty's fault, was now unhappily fallen between him and both houses.

"It was asked, that all lords and others of his privy-council, and such great officers and ministers of state, either at home or beyond the seas, (for, he said, care was taken to leave out no person or place, that his dishonour might be sure not to be bounded within this kingdom,) should be put from his privy-council, and from those offices and employments, unless they should be approved by both houses of parliament, how faithful soever his majesty had found them to him, and the public; and how far soever they had been from offending against any law, the only rule they had, or any others ought to have, to walk by. His majesty therefore to that part of that demand returned this answer; That he was willing to grant, that they should take a larger oath, than they themselves desired in their eleventh demand, for maintaining not of any part, but of the whole law. And, he said, he had, and did assure them, that he would be careful to make election of such persons in those places of trust, as had given good testimonies of their abilities and integrities, and against whom there could be no just cause of exception, whereon reasonably to ground a diffidence: that if he had, or should be mistaken in his election, he had, and did assure them, that there was no man so near to him, in place or affection, whom he would not leave to the justice of the law, if they should bring a particular charge and sufficient proof against him: that he had given them a triennial parliament, (the best pledge of the effects of such a promise on his part, and the best security for the performance of their duty on theirs,) the apprehension of whose justice would, in all probability, make them wary how they provoked it, and his majesty wary, how he chose such as, by the discovery of their faults, might in any degree seem to discredit his election; but that without any shadow of a fault objected, only perhaps because they follow their consciences, and preserve the established laws, and agree not in such votes, or assent not to such bills, as some persons, who had then too great an influence even upon both houses, judged, or seemed to judge, to be for the public good, and as were agreeable to that new Utopia of religion and government, into which they endeavoured to transform this kingdom, (for, he said, he remembered what names, and for what reasons, they left out in the bill offered him concerning the militia, which they had themselves recommended in the ordinance,) he would never consent to the displacing of any, whom for their former merits from, and affection to his majesty and the public, he had intrusted; since, he conceived, that to do so would take away both from the affection of his servants, the care of his service, and the honour of his justice: and, he said, he the more wondered that it should be asked by them, since it appears by the twelfth demand, that themselves counted it reasonable, after the present turn was served, that the judges and officers, who were then placed, might hold their places, *quandiu se bene gesserint*: and he was resolved to be as careful of those whom he had chosen, as they were of those they would choose; and to remove none, till they appeared to him to have otherwise behaved themselves, or should be evicted, by legal proceedings, to have done so.

"But, his majesty said, that demand, as unrea-

"sonable as it was, was but one link of a great chain, and but the first round of that ladder, by which his majesty's just, ancient, regal power was endeavoured to be fetched down to the ground; for it appeared plainly that it was not with the persons now chosen, but with his majesty's choosing, that they were displeased: for they demanded, that the persons put into the places and employments of those, who should be removed, might be approved by both houses; which was so far from being less than the power of nomination, that of two things, of which he would never grant either, he would sooner be content, that they should nominate, and he approve, than they approve, and his majesty nominate; the mere nomination being so far from being any thing, that if he could do no more, he would never take the pains to do that; when he should only hazard those whom he esteemed to the scorn of a refusal, if they happened not to be agreeable not only to the judgment, but to the passion, interest, or humour of the present major part of either house: not to speak of the great factions, animosities, and divisions, which that power would introduce in both houses, between both houses, and in the several counties for the choice of persons to be sent to that place, where that power was; and between the persons that were so chosen. Neither was that strange potion prescribed to him only for once, for the cure of a present, pressing, desperate disease; but for a diet to him, and his posterity. It was demanded, that his counsellors, all chief officers both of law and state, commanders of forts and castles, and all peers hereafter made, be approved of, that is chosen, by them from time to time: and rather than it should ever be left to the crown, (to whom it only did and should belong,) if any place fall void in the intermission of parliament, the major part of the approved council was to approve them. Neither was it only demanded that his majesty should quit the power and right his predecessors had had of appointing persons in those places; but for counsellors, he was to be restrained, as well in the number as in the persons; and a power must be annexed to those places, which their predecessors had not. And, indeed, if that power were passed to them, he said, it would not be fit he should be trusted to choose those, who were to be trusted as much as himself.

"He told them, to grant their demands in the manner they proposed them, that all matters that concerned the public, &c. should be resolved, and transacted only in parliament, and such other matters of state, &c. by the privy-council so chosen, was in effect at once to depose himself, and his posterity. He said, many expressions in their demands had a greater latitude of signification, than they seemed to have; and that it concerned his majesty therefore the more, that they should speak out; that both he and his people might either know the bottom of their demands, or know them to be bottomless. Nothing more concerned the public, and was indeed more proper for the high court of parliament, than the making of laws; which not only ought there to be transacted, but could be transacted nowhere else. But then they must admit his majesty to be a part of the parliament; they must not (as the sense was of that part of that



"demand, if it had any) deny the freedom of his answer, when he had as much right to reject what he thought unreasonable, as they had to propose what they thought convenient, or necessary. Nor was it possible his answers, either to bills, or any other propositions, should be wholly free, if he might not use the liberty, that every one of them, and every subject took, to receive advice (without their danger who should give it) from any person known or unknown, sworn or unsworn, in those matters in which the manage of his vote is trusted, by the law, to his own judgment and conscience; which how best to inform was, and ever should be, left likewise to him. He said, he would always, with due consideration, weigh the advices both of his great, and privy-council: yet he should likewise look on their advices, as advices, not as commands, or impositions; upon them, as his counsellors, not as his tutors, or guardians; and upon himself, as their king, not as their pupil, or ward: for, he said, whatsoever of regality was, by the modesty of interpretation, left in his majesty, in the first part of the second demand, as to the parliament, was taken from him in the second part of the same, and placed in that newfangled kind of counsellors, whose power was such, and so expressed by it, that in all public acts concerning the affairs of the kingdom, which are proper for the privy-council, (for whose advice all public acts are sometimes proper, though never necessary,) they were desired to be admitted joint patentees with his majesty in the regality. And it was not plainly expressed, whether they meant his majesty so much as a single vote in those affairs; but it was plain they meant him no more, at most, than a single vote in them; and no more power, than every one of the rest of his fellow-counsellors."

And so after a sharp discourse, and explanation of the unreasonableness of the several demands, or the greatest part of them, and the confusion that, by consenting thereunto, would redound to the subject in general, as well as the dishonour to his majesty, (which may be read at large by itself,) he told them, "to all those unreasonable demands, his answer was, *Nolumus leges Angliæ mutari*: but renewed his promise to them, for a very punctual and strict observation of the known laws established; to which purpose he was willing an oath should be framed by them, and taken by all his privy-counsellors. And for any alteration in the government of the church, that a national synod should be called, to propose what should be found necessary or convenient: and that, for the advancement of the protestant religion against the papists, they had not proposed so much to his majesty, as he was willing to grant, or as he had himself offered before. He concluded with conjuring them, and all men, to rest satisfied with the truth of his majesty's professions, and the reality of his intentions; and not to ask such things as denied themselves: that they would declare against tumults, and punish the authors: that they would allow his majesty his property in his towns, arms, and goods; and his share in the legislative power; which would be counted in him not only breach of privilege, but tyranny, and subversion of parliaments, to deny to them: and, when they should have given him satisfaction upon those

"persons, who had taken away the one, and recalled those declarations, (particularly that of the twenty-sixth of May; and those in the point of the militia, his just rights wherein he would no more part with, than with his crown, lest he enabled others by them to take that from him,) which would take away the other; and declined the beginnings of a war against his majesty, under pretence of his intention of making one against them; as he had never opposed the first part of the thirteenth demand, so he would be ready to concur with them in the latter; and being then confident that the credit of those men, who desire a general combustion, would be so weakened with them, that they would not be able to do this kingdom any more hurt, he would be willing to grant his general pardon, with such exceptions as should be thought fit; and should receive much more joy in the hope of a full and constant happiness of his people in the true religion, and under the protection of the law, by a blessed union between his majesty and his parliament, than in any such increase of his own revenue, how much soever beyond former grants, as (when his subjects were wealthiest) his parliament could have settled upon his majesty."

Though the king now lived at York in a much more princely condition, than he could have hoped to have done near London; and had so great a train and resort of the nobility and gentry, that there was not left a fifth part of the house of peers at Westminster; and truly I do not believe, that there was near a moiety of the house of commons who continued there; yet he made no other use, for the present, of their presence with him, and of their absence from the two houses, than to have so many the more, and the more credible witnesses of his majesty's counsels and carriage; and to undeceive the people by his clear answers to all the scandals and reproaches which were laid on him, and by his ample professions and protestations of his sincere zeal to religion and justice; and to make it appear to them, how far the quality and the number of those who thought, or seemed to think, otherwise, was, from what they might imagine it to be. And it cannot be denied, but the people were every day visibly reformed in their understandings, from the superstitious reverence they had paid the two houses; and grew sensible of their duty to the king, and of those invasions which were offered to his regal dignity.

On the other side, the two houses slackened not their pace a jot, proceeded with great and unusual sharpness against those members who were gone to the king; proclaiming some of them by name "to be enemies to the kingdom," and, by a formal judgment, sentencing nine peers together, "to be incapable of sitting again in parliament, whilst this should continue:" the house of commons having carried up an impeachment of misdemeanours against them, (which was as illegal in point of justice, and as extravagant in point of privilege, as any thing they could do,) "for being absent, and refusing to attend, upon a summons from the house of peers:" and upon their own members they imposed a fine of 100*l.* apiece, on every one who was gone to the king, and upon those, who being in other places, they thought were well affected to his service: yet, lest they should upon this proceeding return again, to disturb and cross their counsels, they provided, "that no man,



"upon whom that sentence fell, should sit again in the house (though he paid his fine) till he had been examined by a committee, and so given the house satisfaction in the cause of his absence." And, by those means, they thought both to remove the scandal, that so many members were absent, and to prevent any inconvenience too, that might befall them by their return. For they well knew, if the members of both houses were obliged to a constant and strict attendance, it would not be possible that they could compass their mischievous designs.

Then they prosecuted their great business of the militia, not only near London, where they were in no danger of opposition, but in those northern counties near his majesty, as Leicestershire, Cheshire, Lincolnshire, where whosoever refused to give obedience to them, or published the king's proclamation against their proceedings, (for the king had yet practised no expedient to prevent the growth of that mischief, but the publishing his proclamation against it,) were sent for as delinquents; and not satisfied herewith, that they might be as well able to pay an army, as they found they should be to raise one, on the tenth of June (for the time will be very necessary to be remembered, that it may be the better stated, who took up the defensive arms) they published propositions, "for the bringing in of money or plate to maintain horse, horsemen, and arms, for the preservation of the public peace, and for the defence of the king and both houses of parliament; the reasons and grounds whereof they declared to be the king's intention to make war against his parliament; that, under pretence of a guard for his person, he had actually begun to levy forces, both of horse and foot; and sent out summons throughout the county of York, for the calling together of greater numbers; and some ill affected persons, in other parts, had been employed to raise troops, under the colour of his majesty's service; making large offers of reward and preferment to such as would come in: that his majesty did, with a high and forcible hand, protect and keep away delinquents, not permitting them to make their appearance to answer such affronts and injuries, as had been by them offered to the parliament; and those messengers, which had been sent from the houses for them, had been abused, beaten, and imprisoned, so as the orders of parliament, the highest court of justice in the realm, were not obeyed; and the authority of it was altogether scorned and vilified; and such persons as stood well affected to it, and declared themselves sensible of those public calamities, and of the violations of the privileges of parliament, and common liberty of the subject, were baffled, and injured by several sorts of malignant men, who were about the king; some whereof, under the name of cavaliers, without having respect to the laws of the land, or any fear either of God or man, were ready to commit all manner of outrage and violence; which must needs tend to the dissolution of the government; the destruction of their religion, laws, liberty, and property; all which would be exposed to the malice and violence of such desperate persons, as must be employed in so horrid and unnatural an act, as the overthrowing a parliament by force; which was the support and preservation of them. Those particulars,

"they said, being duly considered by the lords and commons, and how great an obligation lay upon them, in honour, conscience, and duty, according to the high trust reposed in them to use all possible means, in such cases, to prevent so great and irrecoverable evils, they had thought fit to publish their sense and apprehension of that imminent danger; thereby to excite all well affected persons to contribute their best assistance, according to their solemn vow and protestation, to the preparations necessary for the opposing and suppressing of the traitorous attempts of those wicked and malignant counsellors, who sought to engage the king in so dangerous and destructive an enterprise, and the whole kingdom in a civil war; and destroy the privileges and being of parliaments. "This recourse to the good affections of those, that tender their religion and just liberties, and the enjoyment of the blessed fruits of this present parliament, which were almost ready to be reaped, and were now as ready to be ruined by those wicked hands, being, they said, the only remedy left them under God; and without which they were no longer able to preserve themselves, or those by whom they were intrusted: therefore they declared, that whosoever would bring in any proportion of ready money or plate, or would underwrite to furnish and maintain any number of horse, horsemen, and arms, for the preservation of the public peace, and for the defence of the king, and both houses of parliament, from force and violence, and to uphold the power and privileges of parliament, according to his protestation; it should be held a good and acceptable service to the commonwealth, and a testimony of his good affection to the protestant religion, the laws, liberties, and peace of the kingdom; and to the parliament, and privileges thereof. And they further declared, that whosoever brought in money or plate, or furnished and maintained horse, horsemen, and arms, upon these propositions, and to those purposes, should be repaid their money with interest of eight per cent.; for which they did engage the public faith, and they appointed the guildhall in London for the place whither this money or plate should be brought; and four aldermen of London to be their treasurers for the receiving the same; and likewise other confiding men to receive and prize such horses and arms, as should be brought in for their service. And, lastly, for their better encouragement, the members of both houses appointed a solemn day to set down their own subscriptions;" which they performed liberally.

Most of those who abhorred their impious designs, not thinking it lawful for them to be present at such consultations, withdrew before the day came, or absented themselves then. But many had the courage to be present, and stoutly to refuse what they thought they could not honestly consent to. Sir Henry Killigrew, who was notoriously an enemy to all their devices, being called upon, told them, "if there were occasion, he would provide a good horse, and a good sword; and made no question but he should find a good cause." But, within very few days, both he, and all those who were taken notice of for refusing, found it safest for them to leave the town; there being very visibly great animosity against them both within and with-

out the walls. And a gentleman of good quality assured me afterwards, that, within few days after he had refused to subscribe, he was privately advised by one of the other faction, who yet retained some kindness to him, "to leave the town, lest his "brains were beaten out by the boys in the streets." And many of those who too impotently desired not to be looked upon as refractory persons, and had pleased themselves with subscribing more articulately for the defence of the king's person, found it afterwards necessary to supply whatsoever they had subscribed, to be employed that way as was declared to be for the defence of the king's person, whatsoever their intention was at first, or their opinion after. And it is hardly credible, what a vast proportion of plate was brought in to their treasurers within ten days; there being hardly men enough to receive it, or room to lay it in; and the throng being so great of the bringers, that, in two days' attendance, many could not be discharged of their seditious offerings. And, the very next day after these propositions, they further ordered, "that there should be a strict search and "examination made by the justices of peace, "mayors, bailiffs, and constables, near all the "northern roads, for the seizing all horses for "service in the wars, or great saddles, that "should be carried towards the north parts of "England, without the privy or direction of one "or both houses of parliament;" which was a great improvement of their former order, which extended only to arms and ammunition; though, the truth is, the dexterity and spirit of their ministers, who knew their meaning, made the former almost as inconvenient and dangerous to passengers, as the latter.

It was by many impatiently wondered at then, and, no doubt, will be more censured hereafter, that, notwithstanding all these invasions, and breaches upon the regal power, and all these vast preparations to destroy him, the king, hitherto, put not himself into a posture of safety; or provided for the resistance of that power which threatened him; and which, he could not but know, intended whatsoever it hath since done: and though they had not yet formed an army, and chosen a general, yet, he well knew, they had materials abundantly ready for the first, and particular, digested resolutions in the second; which they could reduce to public acts, whensoever they pleased. It is very true, he did know all this, and the unspeakable hazards he run, in not preparing against it. But the hazards, which presented themselves unto him on the other side, were not less prodigious: he had a very great appearance of the nobility; and not only of those, who had from the beginning walked and governed themselves by the rules the law prescribed, and, in that respect, were unblameable to king and people; but of others, who had passionately and peevishly (to say no worse) concurred in all the most violent votes and actions, which had been done from the beginning: for, besides the lord Spencer, (who had been chosen their lieutenant of Northamptonshire, but was recovered to a right understanding, of which he was very capable, by his uncle the earl of Southampton,) the lord Paget likewise, who had contributed all his faculties to their service, and to the prejudice of the king's, from before the beginning of the parliament; [had] been one of their teasers to broach those bold high overtures soberer men

were not willing at first to be seen in; and had been, as a man most worthy to be confided in, chosen lord lieutenant of one of the most confiding counties, the county of Buckingham, (where he had, with great solemnity and pomp, executed their ordinance in defiance of the king's proclamation,) and had subscribed a greater number of horses for their service, upon their propositions, than any other of the same quality; convinced in his conscience, fled from them, and besought the king's pardon: and, for the better manifesting of the tenderness of his compunction, and the horror he had of his former guilt, he lustily discovered whatsoever he had known of their counsels; and aggravated all the ill they had done, with declaring it to be done to worse and more horrid ends, than many good men believed to be possible for them to entertain.

Notwithstanding, this glorious convention was rather an ornament to his court, than any great advantage to his counsels; and the use of them more to discredit the small remainder at Westminster, and that the people might see the number and quality of the dissenters, than that they contributed any thing to the active improvement of his affairs; every man thinking it high merit in him, that he absented himself from the company and place, where all the mischief was done; and that the keeping himself negatively innocent, was as much as he owed his king and country. I am tender of laying any imputation of want of providence or courage upon that time, and upon so great a body of the nobility, which doubtless was the rise of much reputation and advantage to the king; and am willing to impute it to the drowsy and unactive genius of the kingdom, (contracted by long ease and quiet,) which so much abhorred the thoughts of a civil war, that it thought a lively and vigorous preparation against it, was to invite it. And they all (truly there did not appear four counsellors of another opinion) declared to the king, "that the parliament durst not in truth " (whatever shows they made in hope to shake "his majesty's constancy) make a war; and if they "should attempt it, the people would unanimously "rise for the king, who would be most safe by not "intending his own safety. Whereas, if he raised "forces, the parliament would procure themselves "to be believed, that it was to overthrow religion, "and suppress the laws and liberties of the people." They who were of another opinion, and could have spoken more reason, held it not safe to express themselves but in the king's own ear; there being in the great council of the peers, who, for state, were frequently assembled, and by whom in truth the king then desired to have transacted all things of moment, some who were not good counsel-keepers, and others who were looked upon, and believed to be spies upon the rest. But that which made the thought of raising forces (whatever arguments there were for it) absolutely unreasonable, was, that the king had no possibility to procure either arms, or munition, but from Holland; from whence he daily expected supply: and till that arrived, let his provocations and sufferings be what they could be, he was to submit, and bear it patiently.

In the mean time, for a ground of further proceeding upon occasion, the king desired the peers in council to set down in writing the affronts and violence, which had been offered to them at Lon-

don, by which their presence in the great council of the kingdom was rendered both unsafe and dishonourable; the which they the more willingly condescended to, for that the London pamphlets already aspersed them, as deserters of the parliament, and betrayers of the liberty of their country: an instrument being drawn up, and agreed upon between them, in which they set down "the tumults, and the violence offered to particular persons in those tumults; the threats and menaces of the rabble at the doors of the house, when they had a mind any exorbitant thing should pass; the breach and violation of the old orders and rules of parliament, whilst matters were in debate, and the resuming matters again in a thin house; and reversing, waving, or contradicting resolutions made in a full house: and, lastly, Mr. Hollis's coming to the bar, and demanding the names of those lords who refused to consent to the militia, when the multitude without menaced and threatened all those dissenters:" after which, they said, "they conceived they could not be present there with honour, freedom, or safety; and therefore forbore to be any more present; and so all those votes, conclusions, and declarations had passed, which had begot those distractions throughout the kingdom." And this they delivered to the king, signed under their hands. And yet, (which is a sufficient instance how unendued men were with that spirit and courage which was requisite,) the next day after the delivery, many lords came to his majesty, and besought him, "that he would by no means publish that paper, but keep it in his own hands;" some of them saying, "that, if it were published, they would disavow it:" so that material and weighty evidence, which then might have been of sovereign use to the king, was rendered utterly ineffectual to his service; his majesty finding it necessary to engage his princely word to them, "never to make it public without their consent;" which he performed most punctually; and so, to this day, it was never divulged.

To make some little amends for this want of mettle, (for it proceeded from nothing else, they being most shy in subscribing, and most passionate against publishing, who were of unquestionable affection to his majesty, and integrity to his cause,) and that the world might see there was a combination among good men, to assist his majesty in the defence of the law, as well as there was against both by others; upon the king's declaring himself fully in council, where all the peers were present, "that he would not require or exact any obedience from them, but what should be warranted by the known law of the land; so he did expect that they would not yield to any commands not legally grounded, or imposed by any other: that he would defend every one of them, and all such as should refuse any such commands, whether they proceeded from votes and orders of both houses, or any other way, from all dangers and hazards whatsoever. That his majesty would defend the true protestant religion, established by the law of the land; the lawful liberties of the subjects of England; and just privileges of all the three estates of parliament; and would require no further obedience from them, than as accordingly he should perform the same: and his majesty did further declare, that he would not, as was falsely pretended, engage them, or

"any of them, in any war against the parliament; except it were for his necessary defence and safety, against such as did insolently invade or attempt against his majesty, or such as should adhere to his majesty:" all the peers engaged themselves, "not to obey any orders or commands whatsoever, not warranted by the known laws of the land; and to defend his majesty's person, crown, and dignity, together with his just and legal prerogative, against all persons and power whatsoever: that they would defend the true protestant religion, established by the law of the land; the lawful liberties of the subject of England; and just privileges of his majesty, and both his houses of parliament: and, lastly, they engaged themselves not to obey any rule, order, or ordinance whatsoever, concerning any militia, that had not the royal assent."

This being subscribed by their lordships was, with their consent, immediately printed, and carefully divulged over the kingdom, bearing date at York the thirteenth of June, 1642, with the names of the subscribers. Two days after, his majesty in council taking notice of the rumours spread, and informations given, which might induce many to believe, that his majesty intended to make war against his parliament, "professed before God, and said, he declared to all the world, that he always had, and did abhor all such designs, and desired all his nobility and council, who were there upon the place, to declare, whether they had not been witnesses of his frequent and earnest declarations and professions to that purpose: whether they saw any colour of preparations or counsels, that might reasonably beget a belief of any such design; and whether they were not fully persuaded, that his majesty had no such intention: but that all his endeavours, according to his many professions, tended to the firm and constant settlement of the true protestant religion; the just privileges of parliament; the liberty of the subject; the law, peace, and prosperity of this kingdom."

Whereupon all the lords and counsellors present unanimously agreed, and did sign a paper in these words:

"We, whose names are underwritten, in obedience to his majesty's desire, and out of the duty which we owe to his majesty's honour, and to truth, being here upon the place, and witnesses of his majesty's frequent and earnest declarations and professions of his abhorring all designs of making war upon his parliament; and not seeing any colour of preparations or counsels, that might reasonably beget the belief of any such designs, do profess before God, and testify to all the world, that we are fully persuaded that his majesty hath no such intention: but that all his endeavours tend to the firm and constant settlement of the true protestant religion; the just privileges of parliament; the liberty of the subject; the law, peace, and prosperity of this kingdom." Which testimony and declaration was subscribed by

Ld. Littleton, ld. keeper.	Earl of Bristol.
Marquis of Hertford.	Earl of Westmoreland.
Earl of Cumberland.	Earl of Monmouth.
Earl of Southampton.	Earl of Dover.
Earl of Salisbury.	Earl of Newport.
Earl of Devonshire.	Ld. Willoughby of Eresby.

Ld. Howard of Charleton.	Earl of Clare.
Lord Pawlett.	Earl of Berkshire.
Lord Rich.	Earl Rivers.
Lord Mohun.	Earl of Carnarvon.
Lord Dunsmore.	Ld. Mowbray and Martravers.
Lord Capel.	
Sir P. Wich, controller.	Ld. Grey of Ruthin.
Sir J. Colepepper, ch. ex.	Lord Newark.
Duke of Richmond.	Lord Lovelace.
Earl of Lindsay, ld. gr. chamberlain.	Lord Savile.
Earl of Bath.	Lord Coventry.
Earl of Dorset.	Lord Seymour.
Earl of Northampton.	Lord Falkland.
Earl of Cambridge.	Secretary Nicholas.
	Lord Chief Justice Banks.

This testimony of the lords and counsellors was immediately printed, and published, together with a declaration of his majesty's; in which he said,

"That though he had, in the last seven months, met with so many several encounters of strange and unusual declarations, under the name of both his houses of parliament, that he should not be amazed at any new prodigy of that kind; and though their last of the twenty-sixth of May gave him a fair warning that, the contrivers of it having spent all their stock of bitter and reproachful language upon him, he was now to expect they should break out into some bold and disloyal actions against him: and, having by that declaration, as far as in them lay, divested his majesty of that preeminence and authority, which God, the law, the custom and consent of this nation had placed in him, and assumed it to themselves, that they should likewise, with expedition, put forth the fruits of that supreme power, for the violating and suppressing the other which they despised, (an effect of which resolution, he said, their wild declaration against his proclamation concerning the pretended ordinance for the militia, and the punishing of the proclaimers appeared to be,) yet, he must confess, in their last attempt (he said, he spake of the last he knew; they might probably since, or at that present, have outdone that too) they had outdone what his majesty had conceived was their present intention. And whosoever heard of propositions, and orders, for bringing in of money or plate to maintain horse, horsemen, and arms, for the preservation of the public peace, or for the defence of the king and both houses of parliament, (such was their declaration, or what they please to call it, of the tenth of June,) would surely believe the peace of the kingdom to be extremely shaken; and, at least, the king himself to be consulted with, and privy to those propositions. But, he said, he hoped, that when his good subjects should find, that that goodly pretence of defending the king, was but a specious bait to seduce weak and inconsiderate men into the highest acts of disobedience and disloyalty against his majesty, and of violence and destruction upon the laws and constitutions of the kingdom, they would no longer be captivated by an implicit reverence to the name of both houses of parliament; but would carefully examine and consider what number of persons were present; and what persons were prevalent in those consultations; and how the debates were probably managed, from whence such horrid and mon-

strous conclusions did result; and would at least weigh the reputation, wisdom, and affection of those, who were notoriously known, out of the very horror of their proceedings, to have withdrawn themselves; or, by their skill and violence to be driven from them, and their councils.

"His majesty [said], whilst their fears and jealousies did arise, or were infused into the people, from discourses of the rebels in Ireland, of skippers at Rotterdam, of forces from Denmark, France, or Spain, (how improbable and ridiculous soever that bundle of information appeared to all wise and knowing men,) it was no wonder if the easiness to deceive, and the willingness to be deceived, did prevail over many of his weak subjects to believe, that the dangers, which they did not see, might proceed from causes which they did not understand: but for them to declare to all the world, that his majesty intended to make war against his parliament, (whilst he sat still complaining to God Almighty of the injury offered to him, and to the very being of parliaments,) and that he had already begun actually to levy forces both of horse and foot, (whilst he had only, in a legal way, provided a smaller guard for the security of his own person so near a rebellion at Hull, than they had, without lawful authority, above these eight months, upon imaginary and impossible dangers,) to impose upon his people's sense, as well as their understanding, by telling them his majesty was doing that which they saw he was not doing, and intending that, they all knew, as much as intentions could be known, he was not intending, was a boldness agreeable to no power but the omnipotency of those votes, whose absolute supremacy had almost brought confusion upon king and people; and against which no knowledge in matter of fact, or consent and authority in matter of law, they would endure should be opposed.

"His majesty said, he had, upon all occasions, with all possible expressions, professed his fast and unshaken resolutions for peace. And, he said, he did again, in the presence of Almighty God, his maker and redeemer, assure the world, that he had no more thought of making a war against his parliament, than against his own children: that he would observe and maintain the acts assented to by him this parliament without violation; of which, that for the frequent assembling of parliaments was one: and that he had not, nor would have, any thought of using any force; unless he should be driven to it, for the security of his person, and for the defence of the religion, laws, and liberty of the kingdom, and the just rights and privileges of parliament: and therefore he hoped the malignant party, who had so much despised his person, and usurped his office, should not, by their specious fraudulent insinuations, prevail with his good subjects to give credit to their wicked assertions; and so to contribute their power and assistance for the ruin and destruction of themselves, and his majesty.

"For the guard about his person, (which, he said, not so much their example, as their provocation, had enforced him to take,) it was known it consisted of the prime gentry, in fortune and reputation, of that country; and of one regi-

"ment of trained bands; who had been so far from offering any affronts, injuries, or disturbance to any of his good subjects, that their principal end was to prevent such; and so, might be security, could be no grievance to his people. That some ill affected persons, or any persons, had been employed in other parts to raise troops, under colour of his majesty's service; or that such had made large, or any, offers of reward and preferment to such as would come in, which had been alleged by them; was, he said, for aught he knew, or believed, an untruth, devised by the contrivers of that false rumour. His majesty disavowed it, and said, he was confident there would be no need of such art, or industry, to induce his loving subjects, when they should see his majesty oppressed, and their liberties and laws confounded, (and till then he would not call on them,) to come in to him, and to assist him.

"For the delinquents, whom his majesty was said with a high and forcible hand to protect, he wished they might be named, and their delinquency: and if his majesty gave not satisfaction to justice, when he should have received satisfaction concerning sir John Hotham by his legal trial, then let him be blamed. But if the design were, as it was well known to be, after his majesty had been driven by force from his city of London, and kept by force from his town of Hull, to protect all those who were delinquents against him, and to make all those delinquents who attended on him, or executed his lawful commands, he said, he had great reason to be satisfied in the truth and justice of such accusation, lest to be his majesty's servant, and to be a delinquent, grew to be terms so convertible, that, in a short time, he were left as naked in attendance, as they would have him in power; and so compel him to be waited upon only by such whom they should appoint and allow; and in whose presence he should be more miserably alone, than in desolation itself. And if the seditious contrivers and fomenters of that scandal upon his majesty should have, as they had had, the power to mislead the major part present of either or both houses, to make such orders, and send such messages and messengers, as they had lately done, for the apprehension of the great earls and barons of England, as if they were rogues or felons; and whereby persons of honour and quality were made delinquents, merely for attending upon his majesty, and upon his summons; whilst other men were forbid to come near him, though obliged by the duty of their place and oaths, upon his lawful commands: it was no wonder if such messengers were not very well intreated; and such orders not well obeyed; neither could there be a surer or a cunninger way found out to render the authority of both houses scorned and vilified, than to assume to themselves (merely upon the authority of the name of parliament) a power monstrous to all understandings; and to do actions, and to make orders, evidently and demonstrably contrary to all known law and reason, (as to take up arms against his majesty, under colour of defending him; to cause money to be brought in to them, and to forbid his own money to be paid to his majesty, or to his use, under colour that he would employ

"it ill; to beat him, and starve him for his own good, and by his power and authority,) which would in short time make the greatest court, and greatest person, cheap and of no estimation.

"Who those sensible men were of the public calamities, of the violations of the privileges of parliament, and the common liberty of the subject, who had been baffled, and injured by malignant men, and cavaliers about his majesty, his majesty said, he could not imagine. And if those cavaliers were so much without the fear of God and man, and so ready to commit all manner of outrage and violence, as was pretended, his majesty's government ought to be the more esteemed, which had kept them from doing so; inasmuch as he believed, no person had cause to complain of any injury, or of any damage, in the least degree, by any man about his majesty, or who had offered his service to him. All which being, he said, duly considered, if the contrivers of those propositions and orders had been truly sensible of the obligations, which lay upon them in honour, conscience, and duty, according to the high trust reposed in them by his majesty, and his people, they would not have published such a sense and apprehension of imminent danger, when themselves, in their consciences, knew that the greatest, and indeed only danger, which threatened the church and state, the blessed religion and liberty of his people, was in their own desperate and seditious designs; and would not have endeavoured, upon such weak and groundless reasons, to seduce his good subjects from their affection and loyalty to him, to run themselves into actions unwarrantable, and destructive to the peace and foundation of the commonwealth.

"And that all his loving subjects might see, how causeless and groundless that scandalous rumour, and imputation of his majesty's raising war upon his parliament, was, he had, with that his declaration, caused to be printed the testimony of those lords, and other persons of his council, who were there with him; who, being upon the place, could not but discover such his intentions and preparations; and could not be suspected for their honours and interests to combine in such mischievous and horrid resolutions.

"And therefore, his majesty said, he straitly charged and commanded all his loving subjects, upon their allegiance, and as they would answer the contrary at their perils, that they should yield no obedience or consent to the said propositions and orders; and that they presume not under any such pretences, or by colour of any such orders, to raise or levy any horse or men, or to bring in any money, or plate, to such purpose. But, he said, if, notwithstanding that clear declaration, and evidence of his intentions, those men (whose design it was to compel his majesty to raise war upon his parliament; which all their skill and malice should never be able to effect) should think fit, by those alarms, to awaken him to a more necessary care of the defence of himself, and his people; and should themselves, under colour of defence, in so unheard of a manner provide (and seduce others to do so too) to offend his majesty, having given him so lively a testimony of their affections, what they were willing to do, when

"they should once have made themselves able; all his good subjects would think it necessary for his majesty to look to himself. And he did therefore excite all his well affected people, according to their oaths of allegiance and supremacy, and according to their solemn vow and protestation, (whereby they were obliged to defend his person, honour, and estate,) to contribute their best assistance to the preparations necessary for the opposing and suppressing of the traitorous attempts of such wicked and malignant persons; who would destroy his person, honour, and estate, and engage the whole kingdom in a civil war, to satisfy their own lawless fury and ambition; and so rob his good subjects of the blessed fruit of this present parliament; which they already in some degree had, and might still reap, to the abundant satisfaction and joy of the whole kingdom, if such wicked hands were not ready to ruin all their possessions, and frustrate all their hopes. And, in that case, his majesty declared, that whosoever, of what degree or quality soever, should then, upon so urgent and visible necessity of his, and such apparent distraction of the kingdom, caused and begotten by the malice and contrivance of that malignant party, bring in to his majesty, and to his use, ready money, or plate; or should underwrite to furnish any number of horse, horsemen, and arms, for the preservation of the public peace, and defence of his person, and the vindication of the privilege and freedom of parliament, he would receive it as a most acceptable service, and as a testimony of his singular affection to the protestant religion, the laws, liberties, and peace of the kingdom; and would no longer desire the continuance of that affection, than he would be ready to justify and maintain the other with the hazard of his life."

And so concluded with the same overtures they had done, in their propositions for the loan of money at interest; "offering, for security thereof, an assurance of such his lands, forests, parks, and houses, as should be sufficient for the same; a more real security, he said, than the name of public faith, given without him, and against him; as if his majesty were no part of the public; and besides, he would always look upon it as a service most affectionately and seasonably performed for the preservation of his majesty, and the kingdom. But, he said, he should be much gladder that their submission to those his commands, and their desisting from any such attempt of raising horse or men, might ease all his good subjects of that charge, trouble, and vexation."

It will be wondered at hereafter, when, by what hath been said, the number and quality of the peers is considered, who, by absenting themselves from the house, and their resort to his majesty, sufficiently declared, that they liked not those conclusions which begat those distractions; why both those peers, and likewise such members of the commons, who then, and afterwards, appeared in the king's service, and were indeed full, or very near one moiety of that house, did not rather, by their diligent and faithful attendance in the houses, discountenance and resist those pernicious and fatal transactions, than, by withdrawing themselves from their proper stations, leave the other (whose

ruinous intentions were sufficiently discovered) possessed of the reputation, authority, and power of a parliament; by which, it was evident, the people would be easily, to a great degree, seduced. And though the observing reader may, upon the collection of the several passages here set down, be able to answer those objections to himself; I am the rather induced, in this place, to apply myself to the clearing that point, because not only many honest men, who, at a distance, have considered it, without being privy to the passages within the walls, and those breaches which totally destroyed and took away the liberty and freedom of those councils, have been really troubled or unsatisfied with that desertion, as they call it, of the service to which they were incumbent, and chosen; but that I have heard some, who were the chief, if not the sole promoters of those violations, and the most violent pursuers of the most violent designs, and have since (out of the ruptures which have proceeded from their own animosities) either been, or been thought to be, more moderately inclined, complain, "that the withdrawing of so many members from the two houses was the principal cause of all our calamities." And they who have been the true authors of them, and still continue the same, have taken pains to make and declare the others, "deserters of their country, and betrayers of their trusts, by their voluntary withdrawing themselves from that council."

In the doing whereof, I shall not, I cannot, make any excuse for those, (of whom somewhat is before spoken,) who, from the beginning of this parliament, and in the whole progress of it, either out of laziness, or negligence, or incogitancy, or weariness, forbore to give their attendance there, when the number of those who really intended these prodigious alterations was very considerable; and daily drew many to their opinions, upon no other ground than that the number of the dissenters appeared not equally diligent, and intent upon their assertions: neither can I excuse the peers, the moderate part whereof being four for one, suffered themselves to be cozened, and persuaded, and threatened out of their rights by a handful of men, whom they might, in the beginning, easily have crushed; whereas in the house of commons the great managers were men of notable parts, much reputation, admirable dexterity; pretenders to severe justice and regularity; and then the number of the weak, and the wilful, who naturally were to be guided by them, always made up a major part; so that, from the beginning, they were always able to carry whatsoever they set their hearts visibly upon; at least, to discredit or disgrace any particular man, against whom they thought necessary to proceed, albeit of the most unblemished reputation, and upon the most frivolous suggestions; so that they could not [but] be very formidable, in that house, to all but the most abstracted men from all vulgar considerations.

But, I am confident, whosoever diligently revolves the several passages in both houses, from the time of the publishing the first remonstrance, upon his majesty's return from Scotland, to the time of which we last spake, must be of opinion, that the resorting of so many members then to his majesty, (from whom all the lords, and some of the commons, received commands to that purpose,) or to such places, where they thought they might be

of greatest use to his majesty, in preservation of the peace of the kingdom, was not only an act of duty, but of such prudence and discretion, as sober and honest men were to be guided by. In the house of peers, the bishops, twenty-four in number, who had as much right to sit there, and were as much members of parliament, as any lord there, were first, by direct violence and force, driven and kept from thence, till the bill, for the total expulsion of them and their function from those seats, was passed; such of the peers, who were most notorious for adhering to the government of the church, being, in the mean time, threatened publicly by the rabble; and some of their persons assaulted. The business of the militia had been twice, upon solemn debate in a full house, rejected there; till such force and violence was brought to the very doors, such expostulations and threats delivered within the doors against those who refused to concur with them in that business, that no man had reason to believe his life out of danger from those rude hands, who was taken notice of for an opposer of their unreasonable desires; some of them having been declared enemies to their country, for having refused what was in their power lawfully to refuse; and others having been criminally accused by the commons, for words spoken by them in debate in the house of peers; after which many of them were sent for, by special letters, to attend his majesty, (which letters were always thought to be so good, and warrantable a ground to be absent, that no other was sufficient; nor had such summons, from the beginning of parliaments to this present, ever been neglected,) with whom they had not been many weeks, but two of them, as hath been mentioned before, upon an untrue and extravagant information, without further examination, were declared enemies to the kingdom: and nine others by solemn judgment, upon an impeachment brought up by the commons against them, only for being absent, and for what only concerned the privilege and jurisdiction of the peers, were disabled to sit in the house again during this session; so that, if they would have returned, they were actually excluded that council.

In the house of commons, the case was worse: first, they who had, with that liberty which is essential to parliaments, and according to their understandings, dissented, or declared a dislike of what the violent party so vehemently pursued, were, as hath been said before, declared enemies to their country; and their names posted up in paper, or parchment, at most eminent places, under some opprobrious character; which, though it was not avowed, and had no authority from the house by any public act, yet, being complained of, found neither redress, or such countenance, that it could be concluded the violation was unacceptable: so, though the tumults were not directly summoned or assembled, it is evident, by what hath been before set forth truly and at large, that they found there visible countenance and encouragement.

Then, what had been, upon full and solemn debates in a full house, rejected, was many times, in a thin house, and at unusual and unparliamentary hours, resumed, and determined contrary to the former conclusions: yet men satisfied themselves with doing what they thought their duty, and reasonably opposing what the major part ordered to be done; hoping that men's understandings would be shortly better informed; and that, though high

and irreverent expressions and words were sometimes used against the king, there would be abstaining from unlawful and dangerous actions; and that the house of peers, at least, would never be brought to join or concur in any act prejudicial to the sovereign power. But when they saw a new way found out by the dexterity of the major part in the house of commons, to make the minor part of the lords too hard for the major; and so, whilst all men were transported with jealousy of the breach of privilege of parliament by the king, that there was, by the houses themselves, an absolute rooting up of all privileges: that from metaphysical considerations, what *might* be done in case of necessity, the militia of the kingdom was actually seized on; and put under a command contrary to, and against, the king's command: that there was then a resolution taken, by those who could act their resolutions when they pleased, to make a general, and to oblige all the members to live and die with that general; which will be anon more particularly mentioned; (for that resolution was well known before the time, that those many members removed to York, and withdrew to other places; and was executed within three or four days after;) men thought it high time to look to their innocence, and (since, by the course and order of that house, they could leave no monument or evidence of their dissenting, as the lords might have, by their protestations upon any unlawful act, or resolution) to declare their dislike of what was done, by not being present at the doing: and it was reasonably thought, there being no other way peaceably and securely to do it, that the kingdom, understanding the number of those that were present at such new transactions, and weighing the quality, number, and reputation of those who were absent, would be best induced to prefer the old laws of the kingdom, before the new votes (destructive to those laws) of those few men, who called themselves the two houses of parliament; and that it would prove a good expedient to work upon the consciences and modesty of those who staid behind, to conclude it necessary, by some fair address to his majesty, to endeavour such a general good understanding, that a perfect union might be made; and the privilege, dignity, and security of parliament be established according to the true and just constitution of it.

It is true, how reasonably soever it might be expected, it produced not that ingenuity: but they who had been troubled with their company, and, by the opposition they made, could not make that expedition in the mischief they intended, were glad they were rid of them; yet, shortly, considering what influence indeed it might have upon understanding men, they found a way to cast a reproach upon those who were absent, and yet to prevent any inconvenience to themselves by their return; publishing an order, "that all the members absent should appear at such a day, under the penalty of paying 100*l.* fine for his absence; and who-soever did not appear at that day" (which gave not time enough to any who were at a distance) "should not presume to sit in the house, before he had paid his fine, or satisfied the house with the cause of his absence;" so that all those who were with the king, and very many more, who had really withdrawn themselves to refresh their minds, or upon necessary affairs of their own, with a purpose to return, clearly discerned themselves ex-



cluded from sitting any more there; it being sufficiently manifest, that the cause of their absence would never be approved, if their persons were disliked, and their opinions disapproved: which appeared quickly; for the day was no sooner past, but they, without the least warrant of precedent, or colour of right, expelled very many, sometimes twenty in a day, not only of those who were with the king, but of others who had given them equal distaste; and ordered new writs to issue out to choose other members in their rooms.

It cannot be denied but some very honest and entire men staid still there, and opposed all their unjustifiable proceedings with great courage, and much liberty of speech; which was more frankly permitted to them than had been before, when the number of the dissenters was greater; and it may be there are still some who satisfy themselves that they have performed their duty, by always having denied to give their consent to whatsoever hath been seditiously or illegally concluded. But I must appeal to the consciences of those very men, whether they have not been many times, by staying there, compelled or terrified to do, and submit to, many acts contrary to their conscience, in cases of conscience; and contrary to their judgment and knowledge, in matters of law and right; and contrary to their oaths and duties, in matters of allegiance; and whether, if they had refused so to do, they should not have been plundered, expelled, and committed to prison? And then they cannot be thought to have proceeded unreasonably, who, to preserve their innocence, and their liberty, chose to undergo all the other censures and difficulties which could befall them, and which have been since plentifully poured upon them. But to return.

The king had, at this time, called to him some judges, and lawyers of eminency; by whose advice he published a declaration concerning the militia, and asserted "the right of the crown in granting commissions of array, for the better ordering and governing thereof;" and, at the same time, issued out those commissions to all counties, "expressly forbidding any obedience to be given to the ordinance for the militia by both houses, under the penalty of high treason." This only improved the paper combat in declarations; either party insisting, "that the law was on their side;" and the people giving obedience to either, according to their conveniences: and many did believe, that if the king had resorted to the old known way of lord lieutenants, and deputy lieutenants, his service would have been better carried on; the commission of array being a thing they had not before heard of, though founded upon an ancient act of parliament in the reign of Hen. IV. and so was received with jealousy, and easily discredited by the glosses and suggestions of the houses.

Besides that some men of very good affections to the crown, and averse enough to the extravagant pretences and proceedings of the parliament, did not conceal their prejudice to the commission of array, as not warranted by law; which did very much work upon other men, and made the obedience less cheerful that was given to that service. Mr. Selden had, in the debate upon that subject in the house of commons, declared himself very positively, and with much sharpness, against the commission of array, as a thing expressly without any

authority of law; the statute upon which it was grounded being, as he said, repealed; and discoursed very much of the ill consequences which might result from submitting to it: he answered the arguments which had been used to support it; and easily prevailed with the house not to like a proceeding, which they knew was intended to do them hurt, and to lessen their authority. But his authority and reputation prevailed much further than the house, and begot a prejudice against it in many well affected men. When the king was informed of it, he was much troubled, having looked upon Mr. Selden as well disposed to his service. And the lord Falkland, with his majesty's leave, writ a friendly letter to Mr. Selden, "to know his reason, why, in such a conjuncture, whatever his opinion [were], he would oppose the submission to the commission of array, which nobody could deny to have had its original from law, and that many learned men still believed to be very legal, that the ordinance which had no manner of pretence to right might be the better established." He answered this letter very frankly; as a man who believed himself in the right upon the commission of array, and that the arguments he had used against it could not be answered; summing up some of those arguments in as few words as they could be comprehended [in]: but then he did as frankly inveigh against the ordinance for the militia, "which, he said, was without any shadow of law, or pretence of precedent, and most destructive to the government of the kingdom: and he did acknowledge, that he had been the more inclined to make that discourse in the house against the commission, that he might with the more freedom argue against the ordinance; which was to be considered upon a day then appointed: and he was most confident, that he should likewise overthrow the ordinance: which, he confessed, could be less supported; and he did believe, that it would be much better, if both were rejected, than if either of them should stand, and remain uncontrolled." But his confidence deceived him; and he quickly found, that they who suffered themselves to be entirely governed by his reason, when those conclusions resulted from it, which contributed to their own designs, would not be at all guided by it, or submit to it, when it persuaded that which contradicted and would disappoint those designs: and so, upon the day appointed for the debate of their ordinance, when he applied all his faculties to the convincing them of the illegality and monstrousness of it, by arguments at least as clear and demonstrable as his former had been, they made no impression upon them; but were easily answered by those who with most passion insisted upon their own sense. He had satisfied them very well, when he concurred with them in judgment; but his reasons were weak, when they crossed their resolutions. So most men are deceived in being too reasonable; and when they conclude that men will submit to what is right, who have no other consideration of right or justice, but as it advances their interest, or complies with their humour and passion. And so easy it hath always been to do harm, and to mislead men, and so hard to do good, and reduce them to reason.

These paper-skirmishes left neither side better inclined to the other; but, by sharpening each



other, drew the matter nearer to an issue. The king had written a letter to the mayor and aldermen of London, and to the masters and wardens of each several company; by which, "he assured them of his desire of the peace of the kingdom; and therefore required them, as they tendered their charter of the city, and their own particular welfares, not to bring in horses, money, or plate, upon the propositions of the houses; whereby, under pretence of raising a guard for the parliament, forces would be levied, and, in truth, employed against his majesty:" of which the houses taking notice, published a declaration to the city, "That they could not be secured by his majesty's protestations, that his desires and purposes were for the public peace; since it appeared, by divers expressions and proceedings of his majesty, that he intended to use force against those who submitted to the ordinance of the militia; and that he had likewise some intention of making an attempt upon Hull. In both which cases they did declare, that whatsoever violence should be used, either against those who exercise the militia, or against Hull, they could not but believe it as done against the parliament. They told them, that the dangerous and mischievous intentions of some about his majesty were such, that whatsoever was most precious to men of conscience and honour, as religion, liberty, and public safety, were like to be overwhelmed and lost in the general confusion and calamity of the kingdom; which would not only question, but overthrow the charter of the city of London; expose the citizens, their wives and children, to violence and villainy; and leave the wealth of that famous city as a prey to those desperate and necessitous persons: and therefore they forbade all the officers to publish that paper, as they would answer their contempt to the parliament; by the power and authority of which, they assured them, they should be protected, and secured in their persons, liberties, and estates, for whatsoever they should do by their advice or persuasion."

To this the king replied, "That he wondered, since they had usurped the supreme power to themselves, that they had not taken upon them the supreme style too; and directed their very new declaration to their trusty and well-beloved, their subjects of the city of London: for it was too great and palpable a scorn, to persuade them to take up arms against his person, under colour of being loving subjects to his office; and to destroy his person, that they might preserve the king: that he was beholding to them, that they had explained to all his good subjects the meaning of their charge against his majesty, that by his intention of making war against his parliament, no more was pretended to be meant, but his resolution not to submit to the high injustice and indignity of the ordinance for the militia, and the business of Hull. He said, he had never concealed his intentions in either of those particulars, (he wished they would deal as clearly with him,) but had always, and did now declare, that that pretended ordinance was against the law of the land; against the liberty and property of the subject; destructive to sovereignty; and therefore not consistent with the very constitution and essence of the kingdom, and to the right and privilege of parliament: that he

"was bound by his oath (and all his subjects were bound by theirs of allegiance and supremacy, and their own protestation lately taken, to assist his majesty) to oppose that ordinance, which was put already in execution against him, not only by training and arming his subjects, but by forcibly removing the magazine, from the places trusted by the counties, to their own houses, and guarding it there with armed men. Whither it would be next removed, and how used by such persons, he knew not.

"That the keeping his majesty out of Hull by sir John Hotham, was an act of high treason against his majesty; and the taking away his magazine and munition from him, was an act of violence upon his majesty, by what hands or by whose direction soever it was done: and, in both cases, by the help of God, and the law, his majesty said, he would have justice, or lose his life in the requiring it; the which he did not value at that rate, as to preserve it with the infamy of suffering himself to be robbed, and spoiled of that dignity he was born to. And if it were possible for his good subjects to believe, that such a defence of himself, with the utmost power and strength he could raise, was making a war against his parliament, he did not doubt, however it should please God to dispose of him in that contention, but the justice of his cause would, at the last, prevail against those few malignant spirits, who, for their own ends, and ambitious designs, had so misled and corrupted the understandings of his people. And since neither his own declaration, nor the testimony of so many of his lords, then with his majesty, could procure credit with those men, but that they proceeded to levy horse, and to raise money and arms against his majesty, he said, he was not to be blamed, if after so many gracious expostulations with them, upon undeniable principles of law and reason, (which they answered only by voting that which his majesty said, to be neither law, nor reason; and so proceeded actually to levy war upon his majesty, to justify that which could not be otherwise defended,) at last he made such provision, that as he had been driven from London, and kept from Hull, he might not be surprised at York; but in a condition to resist, and bring to justice those men, who would persuade his people that their religion was in danger, because his majesty would not consent it should be in their power to alter it by their votes; or their liberty in danger, because he would allow no judge of that liberty, but the known law of the land: yet, he said, whatever provision he should be compelled to make for his security, he would be ready to lay down, as soon as they should revoke the orders by which they had made levies, and submitted those persons, who had detained his towns, carried away his arms, and put the militia in execution, contrary to his proclamation, to that trial of their innocence, which the law had directed, and to which they were born: if that were not submitted to, he should, with a good conscience, proceed against those who should presume to exercise that pretended ordinance for the militia, and the other who should keep his town of Hull from him, as he would resist persons who came to take away his life or his crown from him.

"And therefore his majesty again remembered,

"and required his city of London to obey his former commands, and not to be misled by the orations of those men, who were made desperate by their fortunes, or their fortunes by them; who told them their religion, liberty, and property, was to be preserved no other way, but by their dialoyalty to his majesty: that they were now at the brink of the river, and might draw their swords, (which was an expression used at a great convention of the city,) when nothing pursued them but their own evil consciences. He wished them to consider, whether their estates came to them, and were settled upon them, by orders of both houses, or by that law which his majesty defended: what security they could have to enjoy their own, when they had helped to rob his majesty; and what an happy conclusion that war was like to have, which was raised to oppress their sovereign: that the wealth and glory of their city was not like to be destroyed any other way, but by rebelling against his majesty; and that way inevitably it must; nor their wives and children to be exposed to violence and villainy, but by those who make their appetite and will the measure and guide to all their actions. He advised them not to fancy to themselves melancholy apprehensions, which were capable of no satisfaction; but seriously to consider what security they could have, that they had not under his majesty, or [had] been offered by him: and whether the doctrine those men taught, and would have them defend, did not destroy the foundations upon which their security was built?"

This great conflux, of men of all conditions, and qualities, and humours, could not continue long together at York, without some impatience and commotion; and most men wondered, that there appeared no provisions to be made towards a war, which they saw would be inevitable: and when the levies of soldiers under the earl of Essex were hastened with so much vigour, that the king should have no other preparation towards an army, than a single troop of guards made up of gentlemen volunteers; who, all men foresaw, would quit the troop when there should be an army: and many do yet believe, that the king too long deferred his recourse to arms; and that, if he had raised forces upon his first repulse at Hull, his service would have been very much advanced; and that the parliament would not have been able to have drawn an army together. And so they reproach the councils which were then about the king, as they were censured by many at that time: but neither they then, nor these now do understand the true reason thereof. The king had not, at that time, one barrel of powder, nor one musket, nor any other provision necessary for an army; and, which was worse, was not sure of any port, to which they might be securely assigned; nor had he money for the support of his own table for the term of one month. He expected, with impatience, the arrival of all those by the care and activity of the queen; who was then in Holland, and by the sale of her own, as well as of the crown jewels, and by the friendship of Henry prince of Orange, did all she could to provide all that was necessary; and the king had newly directed her to send all to Newcastle, which was but then secured to him by the diligence of that earl; [the earl of that name.] In the mean time, both the king

himself, and they who best knew the state of his affairs, seemed to be without any thoughts of making war; and to hope, that the parliament would at last incline to some accommodation; for which both his majesty and those persons were exposed to a thousand reproaches.

The queen had many difficulties to contend with; for though the prince of Orange had a very signal affection for the king's service, and did all he could to dispose the states to concern themselves in his majesty's quarrel; yet his authority and interest was much diminished with the vigour of his body and mind: and the states of Holland were so far from being inclined to the king, that they did him all the mischief they could. They had before assisted the rebellion in Scotland, with giving them credit for arms and ammunition, before they had money to buy any; and they did afterwards, several ways, discover their affections to the parliament; which had so many spies there, that the queen could do nothing they had not present notice of; so that it was no easy matter for the queen to provide arms and ammunition, but the parliament had present notice of it, and of the ways which were thought upon to transport them to the king: and then their fleet, under the command of the earl of Warwick, lay ready to obstruct and intercept that communication; nor was any remedy in view to remove this mischief; insomuch as it was no easy thing for the king to send to, or to receive letters from, the queen.

There was a small ship of 28 or 30 guns, that was part of the fleet that waited her majesty into Holland from Dover, which was called the Providence, under the command of captain Straughan, when the fleet was commanded by sir John Pennington, and before the earl of Warwick was superinduced into that charge against the king's will. That ship, the captain whereof was known to be faithful to his majesty, was by the queen detained, and kept in Holland from the time of her majesty's arrival, under several pretences, of which the captain made use, when he afterwards received orders from the earl of Warwick, "to repair to the fleet in the Downs;" until, after many promises and excuses, it was at last discerned that he had other business and commands; and so was watched by the other ships as an enemy. This vessel the queen resolved to send to the king, principally to inform his majesty of the straits she was in; of the provisions she had made; and to return with such particular advice and directions from his majesty, that she might take further resolutions. And because the vessel was light, and drew not much water, and so could run into any creek, or open road, or harbour, and from thence easily send an express to the king; there was put into it about two hundred barrels of powder, and two or three thousand arms, with seven or eight field-pieces; which, they knew, would be very welcome to the king, and serve for a beginning and countenance to draw forces together. The captain was no sooner put to sea, but notice was sent to the commander of the fleet in the Downs; who immediately sent three or four ships to the north, which easily got the Providence in view, before it could reach that coast; and chased it with all their sails, till they saw it enter into the river of Humber; when, looking upon it as their own, they made less haste to follow it, being content to drive it before them into their own port of Hull; there being, as they

thought, no other way to escape them; until they plainly saw the ship entering into a narrow creek out of the Humber, which declined Hull, and led into the country some miles above it; which was a place well known to the captain, and designed by him from the beginning. It was in vain for them then to hasten their pursuit; for they quickly found that their great ships could not enter into that passage, and that the river was too shallow to follow him; and so, with shame and anger, they gave over the chase, whilst the captain continued his course; and having never thought of saving the ship, run it on shore near Burlington; and, with all expedition, gave notice to the king of his arrival; who, immediately, caused the persons of quality in the parts adjacent to draw the trained bands of the country together, to secure the incursions from Hull; and, by this means, the arms, ammunition, and artillery were quickly brought to York.

The king was well content that it should be generally believed, that this small ship, the size whereof was known to few, had brought a greater quantity and proportion of provisions for the war, than in truth it had; and therefore, though it had brought no money, which he expected, he forthwith granted commissions, to raise regiments of horse and foot, to such persons of quality and interest, as were able to comply with their obligations. He declared the earl of Lindsey, lord high chamberlain of England, his general of the army; a person of great honour and courage, and generally beloved; who had many years before had good command in Holland and Germany, and had been admiral at sea in several expeditions. Sir Jacob Ashley was declared major general of the foot, a command he was very equal to, and had exercised before, and executed after, with great approbation. The generalship of the horse his majesty preserved for his nephew prince Rupert; who was daily expected, and arrived soon after: and all levies were hastened with as much expedition as was possible in so great a scarcity, and notorious want of money; of which no more need be said, after it is remembered that all the lords, and council about the king, with several other persons of quality, voluntarily made a subscription for the payment of so many horse for three months; in which time they would needs believe, that the war should be at an end; every one paying down what the three months' pay would amount to, into the hands of a treasurer appointed to receive it; and this money was presently paid for the making those levies of horse which were designed; and which could not have been made but by those monies.

And now the king thought it time to execute a resolution he had long intended, and which many men wondered he neglected so long; which was, as much as in him lay, to take the admiralty into his own hands. He had long too much cause to be unsatisfied and displeased with the earl of Northumberland; whom he thought he had obliged above any man whatsoever. His delivering the fleet into the hands and command of the earl of Warwick, after his majesty had expressly refused it to the parliament, he resolved never to forgive; however, he thought it not then seasonable to resent it, because he had nothing to object against him, but his compliance with the command of the parliament, which would have made and owned it as their own quarrel; and must have obliged him

[that earl] to put his whole interest into their hands, and to have run their fortune; to which he was naturally too much inclined: and then his majesty foresaw, that there would have been no fleet at all set out that year, by their having the command of all the money, which was to be applied to that service. Whereas, by his majesty's concealing his resentment, there was a good fleet made ready, and set out; and many gentlemen settled in the command of ships, of whose affection and fidelity his majesty was assured, that no superior officer could corrupt it; but that they would, at all times, repair to his service, whenever he required it. And, indeed, his majesty had an opinion of the devotion of the whole body of the common seamen to his service, because he had, bountifully, so much mended their condition, and increased their pay, that he thought they would have thrown the earl of Warwick overboard, when he should command them; and so the respiting the doing of it would be of little importance. But now, that a ship of his own, in the execution of his commands, should be chased by his own fleet as an enemy, made such a noise in all places, even to his reproach and dishonour, that he could no longer defer the doing what he had so long thought of. He resolved, therefore, to revoke the earl of Northumberland's commission of the office of high admiral of England, and to send the revocation to him under the great seal of England: then, to send sir John Pennington, who was then at York, on board the fleet, and to take the charge of it: and letters were prepared, and signed by the king, to every one of the captains; whereby they were required "to observe the orders of sir John Pennington." And all this was carried with all possible secrecy, that none, but those few who were trusted, knew, or suspected any such alteration.

But the king thought fit, first to advise with sir John Pennington; of whose integrity he was confident, and whose judgment he always principally relied on in all his maritime actions; and thought him the only person fit immediately to take the fleet out of the earl of Warwick's possession; who had dispossessed him of the command that year, which he had usually exercised. Sir John Pennington, finding the matter full of difficulty, and the execution like to meet with some interruptions, expressed no alacrity to undertake it in his own person; alleging, "that himself stood in the parliament's disfavour and jealousy, (which was true,) and that therefore his motion, and journey towards the Downs, where the fleet then lay, would be immediately taken notice of; and his majesty's design be so much guessed at, that there would need no other discovery;" but propounded to his majesty, "that he would send a letter to sir Robert Mansel, who lived at Greenwich, speedily to go to the fleet, and to take charge of it; and that his authority, being vice-admiral of England, and his known and great reputation with the seamen, would be like to meet with the least resistance." His majesty, imparting this counsel to those whom he had made privy to his purpose, entered upon new considerations; and concluded, "that sir Robert Mansel's age, (though his courage and integrity were unquestionable, and the accidents that depended upon that, would render that expedient most hazardous; and that, in truth, there needed no such absolute and supreme officer to be

"appointed in the first article; but rather, that his majesty should direct his special letter to the captain of every ship, requiring him immediately to weigh anchor, and to bring away his ship to such a place as his majesty might appoint, where he should receive further orders: and to that place he might send such an officer, as he thought fit to trust with the command of the whole navy so assembled." According to this resolution the whole despatch was prepared. First, a revocation of the earl of Northumberland's commission of admiral, under the great seal of England; of which there was a duplicate; the one to be sent to his lordship; the other to the earl of Warwick; whose commission was founded upon, and so determined by, the other. Then a several letter to each of the captains of his ships, informing them "of his majesty's revocation of the admiral's patent, and consequently of the determination of the earl of Warwick's commission," (to whom his majesty likewise writ, to "inhibit him from further meddling in that charge,") and therefore commanding them to yield no further obedience to either of their orders; but that, immediately upon the receipt of those his royal letters, he should weigh anchor; and, with what speed he might, repair to Burlington-bay upon the coast of Yorkshire; where he should receive his majesty's further pleasure: and so each commander, without relation to any other commands, had no more to look after but his own ship, and his own duty, by which the king might expect, at least, so many ships as were under the government of those, who had any affection or fidelity to his service.

Accordingly, all things being prepared, and signed by the king, and sealed, what immediately concerned the earl of Northumberland was delivered to Mr. May, his majesty's page, to be given to the earl of Northumberland at London; and the whole despatch to the fleet to Mr. Edward Villiers, whose diligence and dexterity his majesty found fit for any trust; the former being directed "not to make such haste, but that the other might be at least as soon at the Downs, as he at London;" and Mr. Villiers again being appointed what letters he should first deliver to the captains; "and that he should visit the earl of Warwick in the last place;" that his activity might have no influence upon the seamen, to prevent their obedience to his majesty. And surely if this resolution had been pursued, it is very probable that the king had been master of very many of his ships again. But, when the messengers were despatched and well-instructed, and he that was for London gone on his journey, there was a sudden and unexpected change of the whole direction to the fleet, by sir John Pennington's repair to his majesty; and, upon second thoughts, offering "to go himself to the Downs, and to take charge of the fleet:" which changed the forms of the letters to the several captains; and, instead of leaving every one to use his best expedition to bring away his own ship to Burlington, "required them only to observe such orders, as they should receive by sir John Pennington;" who thought not fit (for the reasons formerly given of his being taken notice of) to go with Mr. Villiers; but, by him, writ to sir Henry Palmer, to whom likewise his majesty sent a letter to that purpose, being an officer of the

navy, and who lived by the Downs, "immediately to go aboard the admiral; and [that he] himself would make all possible haste to him, setting out at the same time with Mr. Villiers; but journeying a further and more private way." Mr. Villiers, lest, by his stay for the alteration of his despatches, his companion's coming to London sooner than was expected at their parting might produce some inconvenience to the service, slept not till he came to sir Henry Palmer; who, being infirm in his health, and surprised with the command, could not make that expedition aboard, as might have been requisite; though he was loyally and zealously affected to his majesty's service. However, Mr. Villiers hastened to the ships which lay then at anchor, and, according to his instructions, delivered his several letters to the captains; the greatest part whereof received them with great expressions of duty and submission, expecting only to receive sir John Pennington's orders, for which they staid; and, without doubt, if either the first letters had been sent, or sir John Pennington been present, when these others were delivered, his majesty had been possessed of his whole fleet; the earl of Warwick being at that time, according to his usual licenses, with some officers, whose company he liked, on shore making merry; so that there was only his vice-admiral, captain Batten, on board, who was of eminent disaffection to his majesty; the rear-admiral, sir John Mennes, being of unquestionable integrity.

But after five or six hours, (in which time nothing could be acted, for want of advice and direction; enough being ready to obey, but none having authority to command,) the earl of Warwick came aboard his ship, to whom Mr. Villiers likewise gave his majesty's letters of discharge; who, without any declaration of disobeying it, applied himself to the confirming those whom he thought true to his party, and diligently to watch the rest; presuming, that he should speedily hear from those by whom he had been originally trusted.

In the mean time, the captains expected orders from sir John Pennington; who likewise privately expected such an account from sir Henry Palmer, as might encourage him to come to the ships. But this unfortunate delay lost all; for the other gentleman, according to his instructions, having reached London in the evening after the houses were risen, delivered the king's letter, and the discharge of his commission, to the earl of Northumberland; who, with all shows of duty and submission, expressed "his resolution to obey his majesty; and a hearty sorrow, that he had, by any misfortune, incurred his majesty's displeasure." How ingenuous soever this demeanour of his lordship's was, the business was quickly known to those who were more concerned in it; who were exceedingly perplexed with the apprehension of being dispossessed of so great a part of their strength, as the royal fleet; and earnestly pressed the earl of Northumberland, "that, notwithstanding such his majesty's revocation, he would still continue the execution of his office of lord high admiral; in which they would assist him with their utmost and full power and authority." But his lordship alleging, "that it would ill become him, who had received that charge from the king, with so notable circumstances of trust and favour, to continue the possession thereof against his express pleasure, there being a clause in his

"grant, that it should be only during such time as "his majesty thought fit to use his service;" and so "utterly refusing to meddle further in it;" as soon as they could get the houses together the next morning, they easily agreed to pass an ordinance, as they call it, "to appoint the earl of Warwick to be admiral of that fleet, with as full and ample authority, as he had before had from "the earl of Northumberland." Which ordinance, together with letters, and votes of encouragement to his lordship, and to the officers and seamen, they speedily sent, by a member of their own; who arrived therewith, the next morning, after Mr. Villiers had delivered the king's letters; sir John Pennington in the mean time neither coming, or sending any further advice.

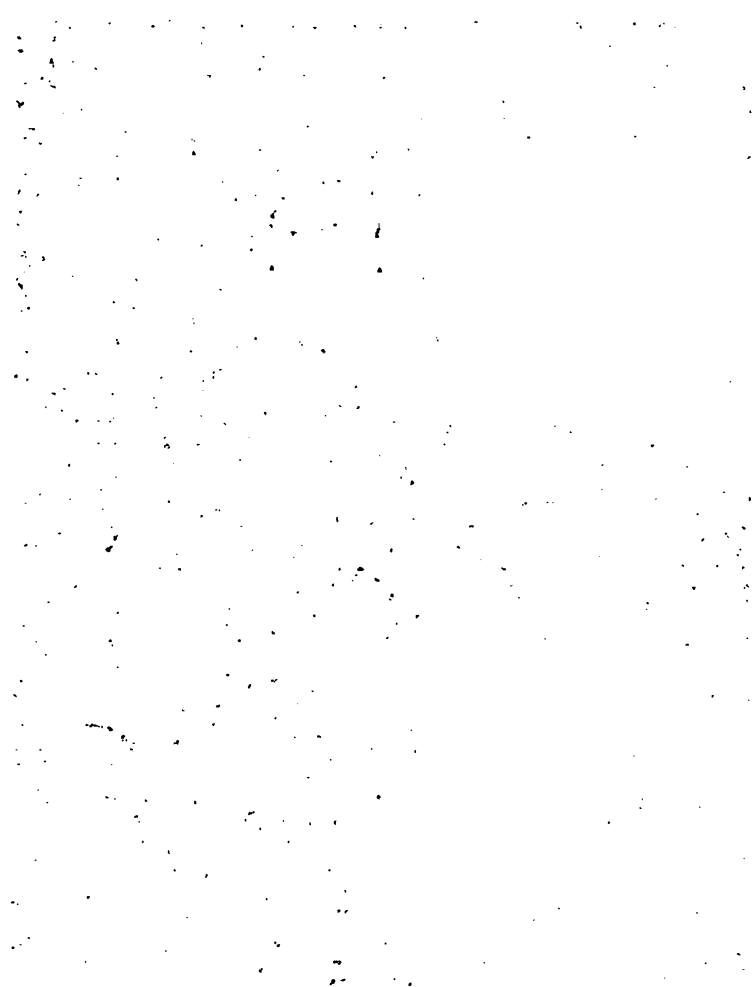
The earl of Warwick, being thus armed, found himself master of his work; and immediately summoned all the captains, to attend him on board his ship in council; the which all but two did, (captain Slingsby and captain Wake,) who, being by his majesty's letters, as the rest were, expressly charged to yield no further obedience to the earl of Warwick, refused to repair to him; making themselves ready to resist any violence, and putting their ships in order to go out to sea, that they might be at liberty to attend his majesty's commands: but they were so encompassed by the whole fleet, and the dexterity of the earl's ministers was such, and the devotion, generally, of the seamen so tainted, and corrupted to the king's service, that, instead of carrying away the ships, the captains themselves were seized, taken, and carried by their own men to the earl; who immediately committed them to custody, and sent them up prisoners to the parliament. Then his lordship communicated the ordinance, letters, and votes from the two houses to the rest of the officers; of whom only two more refused to continue their charge against the signification they had received from the king, (sir John Mennes and captain Burly,) who were quickly discharged, and set on shore; and the rest, without any scruple or hesitation, "obliged themselves to obey the earl "of Warwick, in the service of the parliament;" so that the storm was now over, and the parliament fully and entirely possessed of the whole royal navy, and militia by sea; for they quickly disposed of two other honest captains, Kettleby and Stradlin, (whom they could not corrupt,) who guarded the Irish seas; and got those ships likewise into their service. And thus his majesty was without one ship of his own, in his three kingdoms, at his devotion.

As this loss of the whole navy was of unspeakable ill consequence to the king's affairs, and made his condition much the less considered by his allies, and neighbour princes; who saw the sovereignty of the sea now in other hands, who were more imperious upon the apprehension of any discourtesies, than regular and lawful monarchs used to be; I cannot but observe some unhappy circumstances and accidents in this important business of the navy, which looked like the hand of Providence to take that strength, of which his majesty was most confident, out of his hands. When the resolution of the house of commons, and, after, the concurrence of the lords, was peremptory, and the earl of Northumberland's compliance with them as obstinate, "for the sending the earl of Warwick "admiral of that fleet, in the place of sir John

"Pennington, upon whom the king depended;" it was resolved likewise, "that captain Carteret, controller of his majesty's navy, a man of great eminency and reputation in naval command, "should be vice-admiral;" he thinking it became his near relation to his majesty's service, to receive his royal pleasure, before he engaged himself in any employment of that nature, addressed himself for his princely directions. The king thought his fleet upon the matter taken from him, when another, whose disaffection to his service was very notorious, was, contrary to his express pleasure, presumptuously put into the command of it, and his own minister displaced for no other reason (his sufficiency and ability for command being by all men confessed) but his zeal, and integrity to him, and therefore he would not countenance that fleet, and that admiral, with suffering an officer of his own to command in it under the other; and so wished captain Carteret to decline the employment, which he prudently, and without noise, did; and thereupon, another officer of the navy, even the surveyor general, captain Batten, a man of very different inclinations to his master, and his service, and furious in the new fancies of religion, was substituted in the place: whereas if captain Carteret had been suffered to have taken that charge, his interest and reputation in the navy was so great, and his diligence and dexterity in command so eminent, that I verily believe, he would, against whatsoever the earl of Warwick could have done, have preserved a major part of the fleet in their duty to the king. The misfortunes which happened after, and are mentioned before, are not in justice to be imputed to sir John Pennington; who, sure, was a very honest gentleman, and of unshaken faithfulness and integrity to the king; but to the little time he had to think of it: and the perplexity he was in (besides his true zeal to the service) to think that so great a service, as the recovery of the royal navy, should be done by his personal engagement, and to look so vigilantly to his own security, that, instead of taking the fleet from the earl of Warwick, he was not himself taken by the earl, and sent to the parliament; where the carrying over the lord Digby, and some other jealousies, had left a great arrear of displeasure against him.

The truth is, the king was so confident upon the general affections of the seamen, who were a tribe of people more particularly countenanced and obliged by him than other men, his majesty having increased their allowance, in provision and money, above the old establishment of the navy, that he did believe no activity of ill officers could have corrupted them; but that, when the parliament had set out and virtualled the fleet, it would, upon any occasion, declare itself at his devotion. On the other side, they had been taught to believe, that all the king's bounty and grace towards them had flowed from the mediation of those officers, who were now engaged against the king; and that, the parliament having seized the customs, and all other the revenues of the king, they had no other hope of pay or subsistence, but by absolutely devoting themselves to their service; so that a greater or more general defection of any one order of men was never known, than that, at this time, of the seamen; though many gentlemen, and some few of the common sort, to their lasting honour and reputation, either addressed themselves to the





AN ENGRAVING

**ROBERT RICH, EARL OF WARWICK.**

OB. 1658.

FROM THE ORIGINAL OF VANDYKE, IN THE COLLECTION OF

**THE RIGHT HON<sup>BLE</sup> THE EARL OF HARDWICKE.**





active service of their sovereign, or suffered imprisonment, and the loss of all they had, for refusing to serve against him.

The news of this diminution of his majesty's power, and terrible addition of strength to his enemies, was a great allay to the brisk hopes at York, upon the arrival of their ammunition, and wise men easily discerned the fatal consequence of it in opposition to the most hopeful designs; yet in a very short time, all visible sense of it so much vanished, that (as there was a marvellous alacrity at that time, in despising all advantages of the parliament) men publicly, and with great confidence, averred, "that the king was a gainer by the loss of his fleet, because he had no money to pay the seamen, or keep them together; and that one victory at land, of which there was no doubt, would restore him to his dominion at sea, and to whatsoever had been unjustly taken from his majesty."

But the king found it was now time to do more than write declarations, that they [parliament] were now entirely possessed of the militia by sea, and made such a progress in the attempt to resume the same at land, that though the people generally, (except in great towns and corporations, where, besides the natural malignity, the factious lecturers and emissaries from the parliament had poisoned their affections,) and especially those of quality, were loyally inclined; yet the terror of the house of commons was so great, which sent for and grievously punished those sheriffs and mayors, who published, according to their duties and express oaths, his majesty's proclamations, and those ministers, who, according to his injunctions, read and divulged his declarations, that all such, and indeed all others eminently affected to the king, were forced to fly to York for protection, or to hide themselves in corners from that inquisition which was made for them. And therefore his majesty, in the first place, that he might have one harbour to resort to in his kingdom, sent the earl of Newcastle, privately, with a commission to take the government of Newcastle; who against the little opposition, that was prepared by the schismatical party in the town, by his lordship's great interest in those parts, the ready compliance of the best of the gentry, and the general good inclinations of the place, speedily and dexterously assured that most important rich town and harbour to the king; which, if it had been omitted but very few days, had been seized on by the parliament, who had then given direction to that purpose. Then for the protection of the general parts of the kingdom, and keeping up their affections, his majesty appointed and sent many of the nobility and prime gentlemen of the several counties, who attended him, into their [respective] counties to execute the commission of array, making the marquis of Hertford, by commission under the great seal of England, (which he was to keep secret in reserve, till he found, either by the growth, or extraordinary practice of the parliament in raising forces, that the commission of array was not enough,) "his lieutenant general of all the western parts of the kingdom, with power to levy such a body of horse and foot, as he found necessary for his majesty's service, and the containing the people within the limits of their duty." With the marquis went the earl of Bath, (thought then to be of notable power and interest in Devonshire,) the

lord Pawlet, the lord Seymour, sir Ralph Hopton, sir John Berkley, sir Hugh Pollard, and other very good officers, to form an army if it should be found expedient. And so, much of the lustre of the court being abated by the remove of so many persons of honour and quality, though it was spread farther by their necessary absence, the king began to think of increasing and forming his train into a more useful posture, than it was yet; and, without any noise of raising an army, to make the scene of his first action to be the recovery of Hull (whither new forces were sent from London) by the ordinary forces and trained bands of that county; by colour whereof, he hoped to have such resort, that he should need no other industry to raise such an army as should be sufficient to preserve himself from the violence which threatened his safety; and accordingly, that the people might fully understand his intentions, he summoned some of the trained bands to attend him at Beverley, a town within four miles of Hull, whither he removed his court, and published a proclamation, briefly containing "the rebellion of sir John Hotham, in holding that town by a garrison against him; his demanding justice from the two houses without effect; the seizing his fleet at sea; and the hostile acts of sir John Hotham upon the inhabitants of that town, many of whom he turned out of their habitations; and upon the neighbour county, by imprisoning many, and driving others for fear from their houses: and therefore that he was resolved to reduce the same by force: inhibiting all commerce or traffic with the said town, whilst it continued in rebellion."

Which proclamation he likewise sent to both houses of parliament, with this further signification, "That, before he would use force to reduce that place to its due obedience, he had thought fit once more to require them, that it might be forthwith delivered to him; wherein if they should conform themselves, his majesty would be then willing to admit such addresses from them, and return such propositions to them, as might be proper to settle the peace of the kingdom, and compose the present distractions. He wished them to do their duty, and to be assured from him, on the word of a king, that nothing should be wanting on his part, that might prevent the calamities which threatened the nation, and might render his people truly happy; but if that his gracious invitation should be declined, God and all good men must judge between them:" and assigned a day, by which he would expect their answer at Beverley.

In the mean time, to encourage the good affections of Nottinghamshire, which seemed almost entirely to be devoted to his service, and to countenance and give some life to those in Lincolnshire, where, in contempt of his proclamations, the ordinance of the militia had been boldly executed by the lord Willoughby of Parham, and some members of the house of commons, his majesty took a short progress to Newark; and, after a day's stay, from thence to Lincoln; and so, by the day appointed, returned to Beverley; having, in both those places, been attended with such an appearance of the gentlemen and men of quality, and so full a concourse of the people, as one might reasonably have guessed the affections of both those counties would have seconded any just and regular service for the king.

They at London were not less active; but, upon their success in the business of the navy, proceeded to make themselves strong enough, at least, to keep what they had; and therefore, having, by their ordinance of the militia, many voluntary companies formed of men according to their own hearts; and, by their subscriptions, being supplied with a good stock of money, and a good number of horse; before the king's message from Beverley came to them, on the twelfth of July, being the same day the message went from the king, both houses voted and declared, "That an army should be forthwith raised for the safety of the king's person; defence of both houses of parliament, and of those who had obeyed their orders and commands; and preserving of the true religion, the laws, liberty, and peace of the kingdom. That the earl of Essex should be their general, and that they would live and die with him." And, having put themselves into this posture of treating, the same day they agreed that a petition should be framed, "to move the king to a good accord with the parliament, to prevent a civil war;" the which was purposely then consented to, that the people might believe, the other talk of an army and a general was only to draw the king to the more reasonable concessions. And it is certain, the first was consented to by many, especially of the house of peers, (in hope the better to compass the other,) with the perfect horror of the thought of a war. Though the king's message came to them before their own was despatched, yet, without the least notice taken of it, and lest the contents of their petition might be known before the arrival of their own messengers, the earl of Holland, sir John Holland, and sir Philip Stapleton, being the committee appointed for the same, made a speedy and quick journey to Beverley; and arrived in the same minute that the king came thither from Lincoln: so that his majesty no sooner heard of the raising an army, and declaring a general against him, but he was encountered by the messengers for peace; who reported to all whom they met, and with whom they conversed, "that they had brought so absolute a submission from the parliament to the king, that there could be no doubt of a firm and happy peace:" and when the earl of Holland presented the petition, he first made a short speech to the king, telling him, "that the glorious motto of his blessed father, king James, was *Beati pacifici*, which he hoped his majesty would continue; that they presented him with the humble duty of his two houses of parliament, who desired nothing from him but his consent, and acceptance of peace; they aiming at nothing but his majesty's honour and happiness:" and then read their message aloud, in these words:

*To the king's most excellent majesty, the humble petition of the lords and commons assembled in parliament.*

"May it please your majesty:

"Although we, your majesty's most humble and faithful subjects, the lords and commons in parliament assembled, have been very unhappy in many former petitions and supplications to your majesty; wherein we have represented our most dutiful affections in advising and desiring those things, which we held most necessary for the preservation of God's true religion, your majesty's safety and honour, and the peace of the kingdom:

"and, with much sorrow, do perceive that your majesty, incensed by many false calumnies and slanders, doth continue to raise forces against us, and your other peaceable and loyal subjects; and to make great preparations for war, both in the kingdom, and from beyond the seas; and, by arms and violence, to overrule the judgment and advice of your great council; and by force to determine the questions there depending, concerning the government and liberty of the kingdom: yet, such is our earnest desire of discharging our duty to your majesty and the kingdom, to preserve the peace thereof, and to prevent the miseries of civil war amongst your subjects, that, notwithstanding we hold ourselves bound to use all the means and power, which, by the laws and constitutions of this kingdom, we are trusted with for defence and protection thereof, and of the subjects from force and violence, we do, in this our humble and loyal petition, prostrate ourselves at your majesty's feet; beseeching your royal majesty, that you will be pleased to forbear and remove all preparations and actions of war; particularly the forces from about Hull, from Newcastle, Tinnmouth, Lincoln, and Lincolnshire, and all other places. And that your majesty will recall the commissions of array, which are illegal; dismiss troops, and extraordinary guards by you raised: that your majesty will come nearer to your parliament, and hearken to their faithful advice and humble petitions; which shall only tend to the defence and advancement of religion, your own royal honour and safety, the preservation of our laws and liberties. And we have been, and ever shall be, careful to prevent and punish all tumults, and seditious actions, speeches, and writings, which may give your majesty just cause of distaste, or apprehension of danger. From which public aims and resolutions no sinister or private respect shall ever make us to decline. That your majesty will leave delinquents to the due course of justice; and that nothing done or spoken in parliament, or by any person in pursuance of the command and direction of both houses of parliament, be questioned any where but in parliament.

"And we, for our parts, shall be ready to lay down all those preparations, which we have been forced to make for our defence. And for the town of Hull, and the ordinance concerning the militia, as we have, in both these particulars, only sought the preservation of the peace of the kingdom, and the defence of the parliament from force and violence; so we shall most willingly leave the town of Hull in the state it was, before sir John Hotham drew any forces into it; delivering your majesty's magazine into the tower of London, and supplying whatsoever hath been disposed by us for the service of the kingdom. We shall be ready to settle the militia by a bill, in such a way as shall be honourable and safe for your majesty, most agreeable to the duty of parliament, and effectual for the good of the kingdom; that the strength thereof be not employed against itself, and that which ought to be for our security, applied to our destruction; and desire still to preserve the protestant religion, that the parliament, and those who profess and both in this realm and in Ireland, may not be left naked, and indefensible to the mischievous

" designs and cruel attempts of those, who are the  
 " professed and confederated enemies thereof in  
 " your majesty's dominions, and other neighbour  
 " nations. To which if your majesty's courses and  
 " counsels shall from henceforth concur, we doubt  
 " not but we shall quickly make it appear to the  
 " world, by the most eminent effects of love and  
 " duty, that your majesty's personal safety, your  
 " royal honour and greatness, are much dearer  
 " to us than our own lives and fortunes, which we  
 " do most heartily dedicate, and shall most will-  
 " ingly employ for the support and maintenance  
 " thereof."

As soon as this petition was read by the earl of Holland, the king told them, " that the reproaches  
 " cast upon him by it were not answerable to the  
 " expressions his lordship had made; and that he  
 " was sorry that they thought the exposing him  
 " and his honour to so much scandal, was the way  
 " to procure or preserve the peace of the kingdom:  
 " that they should speedily receive his answer;  
 " by which the world would easily discern who  
 " desired peace most." And accordingly, the second day, his majesty delivered them, in public, his answer to their petition, which was likewise read by one of his servants, in these words:

*His majesty's answer to the petition of the lords and commons assembled in parliament.*

" Though his majesty had too great reason to  
 " believe that the directions sent to the earl of  
 " Warwick, to go to the river Humber, with as  
 " many ships as he should think fit, for all possible  
 " assistance to sir John Hotham, (whilst his ma-  
 " jesty expected the giving up of the town unto  
 " him,) and to carry away such arms from thence,  
 " as his discretion thought fit to spare out of his  
 " majesty's own magazine; the choosing a general  
 " by both houses of parliament, for the defence of  
 " those who have obeyed their orders and com-  
 " mands, be they never so extravagant and illegal;  
 " their declaration, that, in that case, they would  
 " live and die with the earl of Essex their general;  
 " (all which were voted the same day with this peti-  
 " tion;) and the committing the lord mayor of  
 " London to prison, for executing his majesty's  
 " writs and lawful commands; were but ill pro-  
 " logues to a petition, which might compose the  
 " miserable distractions of the kingdom; yet his  
 " majesty's passionate desire of the peace of the  
 " kingdom, together with the preface of the pre-  
 " senters, That they had brought a petition full of  
 " duty and submission to his majesty; and which  
 " desired nothing of him but his consent to peace,  
 " (which his majesty conceived to be the language  
 " of both houses too,) begot a greedy hope and  
 " expectation in him, that this petition would have  
 " been such an introduction to peace, that it would  
 " at least have satisfied his message of the eleventh  
 " of this month, by delivering up Hull unto his  
 " majesty. But, to his unspeakable grief, his ma-  
 " jesty hath too much cause to believe, that the  
 " end of some persons, by this petition, is not in  
 " truth to give any real satisfaction to his majesty;  
 " but, by the specious pretences of making offers  
 " to him, to mislead and seduce his people, and  
 " lay some imputation upon him, of denying what is  
 " fit to be granted; otherwise, it would not have  
 " thrown those unjust reproaches and scandals  
 " upon his majesty, for making necessary and just

" defence for his own safety; and so peremptorily  
 " justified such actions against him, as by no rule  
 " of law or justice can admit the least colour of  
 " defence: and, after so many free and unlimited  
 " acts of grace passed by his majesty without any  
 " condition, have proposed such things which, in  
 " justice, cannot be denied unto him, upon such  
 " conditions as, in honour, he cannot grant. How-  
 " ever, that all the world may see how willing  
 " his majesty would be to embrace any overture,  
 " that might beget a right understanding between  
 " him and his two houses of parliament, (with  
 " whom, he is sure, he shall have no contention,  
 " when the private practices and subtle insinuations  
 " of some few malignant persons shall be dis-  
 " covered, which his majesty will take care shall  
 " be speedily done,) he hath, with great care,  
 " weighed the particulars of this petition, and re-  
 " turns this answer:

" That the petitioners were never unhappy in  
 " their petitions or supplications to his majesty,  
 " while they desired any thing which was necessary  
 " or convenient for the preservation of God's true  
 " religion, his majesty's safety and honour, and the  
 " peace of the kingdom: and therefore, when those  
 " general envious foundations are laid, his majesty  
 " could wish some particular instances had been  
 " applied. Let envy and malice object one par-  
 " ticular proposition for the preservation of God's  
 " true religion which his majesty hath refused to  
 " consent to; what himself hath often made for  
 " the ease of tender consciences, and for the ad-  
 " vancement of the protestant religion, is notorious  
 " by many of his messages and declarations. What  
 " regard hath been to his honour and safety, when  
 " he hath been driven from some of his houses,  
 " and kept from other of his towns by force; and  
 " what care there hath been of the peace of the  
 " kingdom, when endeavour hath been used to put  
 " all his subjects in arms against him, is so evident,  
 " that, his majesty is confident, he cannot suffer  
 " by those general imputations. It is enough that  
 " the world knows what he hath granted, and  
 " what he hath denied.

" For his majesty's raising forces, and making  
 " preparations for war, (whatsoever the petitioners,  
 " by the evil arts of the enemies to his majesty's  
 " person and government, and by the calumnies  
 " and slanders raised against his majesty by them,  
 " are induced to believe,) all men may know what  
 " is done that way is but in order to his own de-  
 " fence. Let the petitioners remember, that (which  
 " all the world knows) his majesty was driven from  
 " his palace of Whitehall for safety of his life:  
 " that both houses of parliament, upon their own  
 " authority, raised a guard to themselves, (having  
 " gotten the command of all the trained bands of  
 " London to that purpose,) without the least colour  
 " or shadow of danger: that they usurped a power,  
 " by their pretended ordinance, against all prin-  
 " ciples and elements of law, over the whole militia  
 " of the kingdom, without and against his majesty's  
 " consent: that they took possession of his town,  
 " fort, and magazine of Hull, and committed the  
 " same to sir John Hotham; who shut the gates  
 " against his majesty, and, by force of arms, denied  
 " entrance thither to his own person: that they  
 " justified this act which they had not directed,  
 " and took sir John Hotham into their protection  
 " for whatsoever he had done, or should do, against  
 " his majesty: and all this, whilst his majesty had

"no other attendance than his own menial servants. Upon this, the duty and affection of this county prompted his subjects here to provide a small guard for his own person; which was no sooner done, but a vote suddenly passed of his majesty's intention to levy war against his parliament, (which, God knows, his heart abhorreth;) and, notwithstanding all his majesty's professions, declarations, and protestations to the contrary, seconded by the clear testimony of so great a number of peers upon the place, propositions and orders for levies of men, horse, and arms, were sent throughout the kingdom; plate and money brought in and received, horse and men raised towards an army, mustered, and under command; and all this contrary to the law, and to his majesty's proclamation: and a declaration published, that if he should use force for the recovery of Hull, or suppressing the pretended ordinance for the militia, it should be held levying war against the parliament: and all this done, before his majesty granted any commission for the levying or raising a man. His majesty's ships were taken from him, and committed to the custody of the earl of Warwick; who presumes, under that power, to usurp to himself the sovereignty of the sea, to chase, fright, and imprison such of his majesty's good subjects, as desire to obey his lawful commands; although he had notice of the legal revocation of the earl of Northumberland's commission of admiral, whereby all power derived from that commission ceased.

"Let all the world now judge who began this war, and upon whose account the miseries, which may follow, must be cast; what his majesty could have done less than he hath done; and whether he were not compelled to make provision both for the defence of himself, and recovery of what is so violently and injuriously taken from him; and whether these injuries and indignities are not just grounds for his majesty's fears and apprehensions of further mischief and danger to him. Whence the fears and jealousies of the petitioners have proceeded, hath never been discovered; the dangers they have brought upon his subjects are too evident; what those are they have prevented, no man knows. And therefore his majesty cannot but look upon that charge as the boldest, and the most scandalous, hath been yet laid upon him; That this necessary provision, made for his own safety and defence, is to overrule the judgment and advice of his great council; and by force to determine the questions there depending, concerning the government and liberty of the kingdom. If no other force had been raised to determine those questions, than by his majesty, this unhappy misunderstanding had not been: and his majesty no longer desires the blessing and protection of Almighty God upon himself and his posterity, than he and they shall solemnly observe the due execution of the laws, in the defence of parliaments, and the just freedom thereof.

"For the forces about Hull, his majesty will remove them, when he hath obtained the end for which they were brought thither. When Hull shall be reduced again to his subjection, he will no longer have an army before it. And when he shall be assured, that the same necessity and pretence of public good, which took

"Hull from him, may not put a garrison into Newcastle to keep the same against him, he will remove his from thence, and from Tinnmouth; till when, the example of Hull will not out of his memory.

"For the commissions of array, which are legal, and are so proved by a declaration now in the press, his majesty wonders why they should, at this time, be thought grievous, and fit to be recalled: if the fears of invasion and rebellion be so great, that, by an illegal, pretended ordinance, it is necessary to put his subjects into a posture of defence, to array, train, and muster them, he knows not why the same should not be done in a regular, known, lawful way. But if, in the execution of that commission, any thing shall be unlawfully imposed upon his good subjects, his majesty will take all just and necessary care for their redress.

"For his majesty's coming nearer to his parliament, his majesty hath expressed himself so fully in his several messages, answers, and declarations, and so particularly avowed a real fear of his safety, upon such instances as cannot be answered, that he hath reason to take himself somewhat neglected, that, since upon so manifest reasons it is not safe for his majesty to come to them, both his houses of parliament will not come nearer to his majesty, or to such a place where the freedom and dignity of parliament might be preserved. However, his majesty shall be very glad to hear of some such example in their punishing the tumults (which he knows not how to expect, when they have declared that they knew not of any tumults; though the house of peers desired, both for the freedom and dignity of parliament, that the house of commons would join with them in a declaration against tumults; which they refused, that is, neglected to do,) and other seditious actions, speeches, and writings, as may take that apprehension of danger from him; though, when he remembers the particular complaints himself hath made of businesses of that nature, and that, instead of inquiring out the authors, neglect of examination hath been, when offer hath been made to both houses to produce the authors; as in that treasonable paper concerning the militia: and when he sees every day pamphlets published against his crown, and against monarchy itself; as the observations upon his late messages, declarations, and expresses; and some declarations of their own, which give too great encouragement, in that argument, to ill-affected persons; his majesty cannot, with confidence, entertain those hopes which would be most welcome to him.

"For the leaving delinquents to the due course of justice, his majesty is most assured he hath been no shelter to any such. If the tediousness and delay in prosecution, the vast charge in officers' fees, the keeping men under a general accusation, without trial, a whole year and more, and so allowing them no way for their defence and vindication, have frightened men away from so chargeable and uncertain attendance, the remedy is best provided where the disease grew. If the law be the measure of delinquency, none such are within his majesty's protection: but if by delinquents such are understood, who are made so by vote, without any trespass upon any known or established law: if by delinquents those

" nine lords are understood, who are made delinquents for obeying his majesty's summons to come to him, after their stay there was neither safe nor honourable, by reason of the tumults, and other violences; and whose impeachment, he is confident, is the greatest breach of privilege, that, before this parliament, was ever offered to the house of peers: if by delinquents such are understood, who refuse to submit to the pretended ordinance of the militia; to that of the navy; or to any other, which his majesty hath not consented to; such who for the peace of the kingdom, in an humble manner, prepare petitions to him, or to both houses, as his good subjects of London and Kent did; whilst seditious ones, as that of Essex, and other places, are allowed and cherished: if by delinquents such are understood, who are called so for publishing his proclamations, as the lord mayor of London; or for reading his messages and declarations, as divers ministers about London and elsewhere; when those against him are dispersed with all care and industry, to poison and corrupt the loyalty and affection of his people: if by delinquents such are understood, who have, or shall lend his majesty money, in the universities, or in any other places; his majesty declares to all the world, that he will protect such with his utmost power and strength; and directs, that, in these cases, they submit not to any messengers, or warrant; it being no less his duty to protect those who are innocent, than to bring the guilty to condign punishment; of both which the law is to be judge. And if both houses do think fit to make a general, and to raise an army for defence of those who obey their orders and commands, his majesty must not sit still, and suffer such who submit to his just power, and are solicitous for the laws of the land, to perish and be undone, because they are called delinquents. And when they shall take upon them to dispense with the attendance of those who are called by his majesty's writ, whilst they send them to sea, to rob his majesty of his ships; or into the several counties, to put his subjects in arms against him; his majesty (who only hath it) will not lose the power to dispense with them to attend his own person; or to execute such offices, as are necessary for the preservation of himself and the kingdom; but must protect them, though they are called delinquents.

" For the manner of the proceeding against delinquents, his majesty will proceed against those who have no privilege of parliament, or in such cases where no privilege is to be allowed, as he shall be advised by his learned council, and according to the known and unquestionable rules of the law; it being unreasonable, that he should be compelled to proceed against those who have violated the known and undoubted law, only before them who have directed such violation.

" Having said thus much to the particulars of the petition, though his majesty hath reason to complain, that, since the sending this petition, they have beaten their drums for soldiers against him; armed their own general with a power destructive to the law, and liberty of the subjects; and chosen a general of their horse; his majesty, out of his princely love, tenderness, and compassion of his people, and desire to preserve the

" peace of the kingdom, that the whole force and strength of it may be united for the defence of itself, and the relief of Ireland, (in whose behalf he conjures both his houses of parliament, as they will answer the contrary to Almighty God, his majesty, to those who trust them, and to that bleeding, miserable kingdom, that they suffer not any monies, granted and collected by act of parliament, to be diverted or employed against his majesty; whilst his soldiers in that kingdom are ready to mutiny, or perish for want of pay; and the barbarous rebels prevail by that encouragement,) is graciously pleased once more to propose and require,

" That his town of Hull be immediately delivered up to him; which being done, (though his majesty hath been provoked by unheard of insolences of sir John Hotham's, since his burning and drowning the country, in seizing his wine, and other provisions for his house, and scornfully using his servant, whom he sent to require them; saying, it came to him by Providence, and he will keep it; and so refusing to deliver it, with threats if he, or any other of his fellow-servants, should again repair to Hull about it; and in taking and detaining prisoners, divers gentlemen, and others, in their passage over the Humber into Lincolnshire about their necessary occasions; and such other indignities, as all gentlemen must resent in his majesty's behalf,) his majesty, to shew his earnest desire of peace, for which he will dispense with his own honour, and how far he is from desire of revenge, will grant a free and general pardon to all persons within that town.

" That his majesty's magazine, taken from Hull, be forthwith put into such hands, as he shall appoint.

" That his navy be forthwith delivered into such hands, as he hath directed for the government thereof: the detaining thereof after his majesty's directions, published and received, to the contrary; and employing his ships against him in such manner as they are now used, being notorious high treason in the commanders of those ships.

" That all arms, levies, and provisions for a war, made by the consent of both houses, (by whose example his majesty hath been forced to make some preparations,) be immediately laid down; and the pretended ordinance for the militia, and all power of imposing laws upon the subject without his majesty's consent, be disavowed; without which, the same pretence will remain to produce the same mischief. All which his majesty may as lawfully demand as to live, and can with no more justice be denied him, than his life may be taken from him.

" These being done, and the parliament adjourned to a safe and secure place, his majesty promises, in the presence of God, and binds himself by all his confidence and assurance in the affection of his people, that he will instantly, and most cheerfully, lay down all the force he shall have raised, and discharge all his future and intended levies; that there may be a general face of peace over the whole kingdom; and will repair to them: and desires, that all differences may be freely debated in a parliamentary way; whereby the law may recover its due reverence, the subject his just liberty, and parliaments

"themselves their full vigour and estimation ;  
 "and so the whole kingdom a blessed peace,  
 "quiet, and prosperity.

"If these propositions shall be rejected, his majesty doubts not of the protection and assistance of Almighty God, and the ready concurrence of his good subjects ; who can have no hope left them of enjoying their own long, if their king may be oppressed and spoiled, and must be remediless. And though his towns, his ships, his arms, and his money, be gotten, and taken from him, he hath a good cause left, and the hearts of his people ; which, with God's blessing, he doubts not, will recover all the rest.

"Lastly, if the preservation of the protestant religion, the defence of the liberty and law of the kingdom, the dignity and freedom of parliament, and the recovery and the relief of bleeding and miserable Ireland, be equally precious to the petitioners, as they are to his majesty, (who will have no quarrel but in defence of these,) there will be a cheerful and speedy consent to what his majesty hath now proposed and desired : and of this his majesty expects a full and positive answer by Wednesday the 27th of this instant July ; till when he shall not make any attempt of force upon Hull, hoping in the affection, duty, and loyalty of the petitioners : and, in the mean time, expects that no supply of men be put into Hull, or any of his majesty's goods taken from thence."

The whole court, upon the hearing that petition from the two houses read, expressed a marvellous indignation at the intolerable indignities offered to the king by it ; and seemed no better satisfied with the messengers ; who had professed, that they brought an absolute submission to his majesty ; when, in truth, what they brought appeared to be a full justification of whatsoever they had done before, and an implied threat of doing worse, and fixing all the scandals upon his majesty, which they had scattered abroad before : insomuch as all men expected and believed his majesty to be engaged, for the vindication of his princely dignity and honour, to return a much sharper answer to them than he had ever sent. So that, when this which is before set down (and which had before been consented to, and approved in the full assembly of the peers and counsellors) was read publicly, it was generally thought, that the king had not enough resented the insolence and usurpation of the parliament, or appeared sensible enough of the provocations : yet the thought of a war, which wise men saw actually levied upon the king already, was so much abhorred, and men were so credulous of every expedient which was pretended for peace, that by the next morning (the answer being delivered in the evening) these active messengers for the parliament persuaded many "that the king's answer was too sharp, and "would provoke the houses, who were naturally "passionate, to proceed in the high ways they were "in ; whereas, if the king would abate that severity "of language, and would yet take off the preamble "of his answer, they were confident, and the earl "of Holland privately offered to undertake, that "satisfaction should be given to all that his majesty proposed." And, by this means, some were so far wrought upon, as they earnestly importuned the king, "that he would take his answer, "which he had publicly delivered the night be-

fore, from the messengers ; and, instead thereof, "return the sum matter of his own propositions "only, in the most soft and gentle language ; "without the preamble, or any mention of their unjustifiable and unreasonable demeanour towards "him."

But his majesty replied, "that he had for a long time, even after great provocations, and their first general remonstrance to the people, treated with all imaginable compliance and lenity of words with them ; and discovered their unjustifiable and most extravagant proceedings with and against him, and the consequences that would inevitably attend their progress in them, with such tender expressions, as if he believed whatever was amiss to proceed from misinformation only, and unskilful mistakes : that this gentleness and regard of his was so far from operating upon them, that their insolence and irregularities increased ; and it might be from that reason, [that] their messages and declarations were written in so high a dialect, and with that sovereignty of language, as if he were subject to their jurisdiction ; and he did not know but it might have some influence upon his people to his disadvantage, that is, raise terror towards them, and lessen their reverence towards his majesty, when all their petitions and propositions were more imperative than his just and necessary refusals : which condescension his majesty had brought himself to, in hope, that his example, and their natural shame, would have reformed that new license of words : that this last address, under the name of a petition, (a few days after they had violently ravished his whole fleet from him ; and prepared the same day, that they had chosen a general, to whom they had sworn allegiance, to lead an army against him,) contained a peremptory justification of whatsoever they had done, and as peremptory a threatening of whatsoever they could do : and therefore, if he should now retract his answer, which had been solemnly considered in council, before all the peers, and which in truth implied rather a princely resentment of the indignities offered to him, than flowed with any sharp or bitter expressions, he should, by such yielding, give encouragement to new attempts ; and could not but much discourage those, upon whose affections and loyalty he was principally to depend ; who could not think it safe to raise themselves to an indignation on his behalf, when he expressed so tender or so little sense of his own sufferings : besides, that he was then upon an avowed hostile enterprise for the reduction of Hull ; towards which he was to use all possible means to draw a force together, equal to that design ; and by such a retraction as this proposed, and a seeming declension of his spirit, and depending upon their good natures, who had done all this mischief, he should not only be inevitably disappointed of the resort of new strength, but, probably, deserted by those few whom he had brought together : that he could not reasonably or excusably depend upon the undertaking of the earl of Holland ; who had so grossly deceived him in other undertakings, which were immediately in his own power to have performed : whereas neither he, or either of the other two gentlemen, who were joined with him in this employment, had so much interest with the active and prevailing party,

"as to know more of their intentions than was at present necessary to be discovered for their concurrence.

"He said, that he had never yet consented to any one particular, since the beginning of this parliament, by which he had received prejudice, at the doing whereof he had not the solemn undertakings and promises of those, who were much abler to justify their undertakings than the earl of Holland; and upon whom he only depended, that it should be no disservice to him, and would be an infallible means to compass all that his majesty reasonably desired: but he had always found those promisers and undertakers, though they could eminently carry on any counsel, or conclusion, that was against law, justice, or his right, had never power to reduce or restrain those agitations within any bounds of sobriety and moderation: and when they found that many would not be guided by them, that they might seem still to lead, themselves as furiously followed the other; and resorted again to his majesty with some new expedient, as destructive as the former. So that he was henceforward resolved to rely upon God Almighty, and not so much to depend upon what might possibly prevail upon the affections of those, from whom, reasonably, he could not expect any good, as upon such plain and avowed courses, as, let the success be what it would, must, to all judging men, appear to be prudently and honourably to be relied on: and therefore he positively refused to make the least alteration in his answer." And so the messengers departed, leaving the court and country worse affected than they found it; and branding some particular persons, whom they found less inclined to be ruled by their professions and promises, "as the authors of a civil war:" and making them as odious as they could, wherever they came.

And sure, from that time, the earl of Holland was more transported from his natural temper and gentleness of disposition, into passion and animosity against the king and his ministers; and, having been nothing pleased with his own condition at London, finding the earl of Essex (whom he did not secretly love, and indeed contemned) to draw all men's eyes towards him, and to have the greatest interest in their hearts, he had seriously intended, under colour of this message to the king, to discover if there were any sparks yet left in his royal breast, which might be kindled into affection or acceptance of his service; and hoped, if he could get any credit, to redeem his former trespasses: but when he found his majesty not only cold towards him, but easily enough discerned, by his reception, that all former inclinations were dead, and more than ordinary prejudices grown up towards him in their places, and that his advices were rejected, he returned with rancour equal to the most furious he went to; and heartily joined and concurred towards the suppressing that power, in the administration whereof he was not like to bear any part.

His majesty having, by his answer, obliged himself not to make any forcible attempt upon Hull till the 27th of July, by which time he might reasonably expect an answer to his propositions, in the mean time resolved to make some short progress into the neighbour counties; and accordingly, the same day the messengers departed, the king

went to Doncaster; and the next day to Nottingham; and so to Leicester; where he heard the earl of Stamford, and some other parliament men, were executing the ordinance of the militia: but, before his majesty came thither, they removed themselves to Northampton; a town so true to them, as, if they had been pursued, would have shut their gates against the king himself, as Hull had done.

At Leicester the king was received with great expressions of duty and loyalty, by the appearance of the trained bands, and full acclamations of the people; yet there were two accidents that happened there, which, if they be at all remembered, will manifest, that if the king were loved there as he ought to be, that the parliament was more feared than he. It happened to be at the time of the general assizes, and justice Reeve (a man of a good reputation for learning and integrity; and who, in good times, would have been a good judge) sat there as judge; and Mr. Henry Hastings, younger son to the earl of Huntingdon, was purposely made high sheriff, to contain the county within the limits of their duty by the power of that office, as well as by the interest and relation of his family. The earl of Stamford, and his assistants, had departed the town but few hours before his majesty's entrance, and had left their magazine, which was indeed the magazine of the county, in a little storehouse at the end of the town, guarded by some inferior officers, whom they had brought down to train and exercise the militia, and other zealous and devoted men of the county, in all to the number of about twenty-five, who had barricadoed the door of the house; and professed "to keep it against all demanders;" having provisions within it of all sorts. The king was very unwilling (coming in so peaceable a manner, at so peaceable a time) to take any notice of it. On the other hand, it was an act of too great insolence to be suffered; and, upon the matter, to leave a garrison of the rebels in possession of the town; and therefore he sent word to the judge, "that if he took not some legal way to remove such a force so near his majesty, his majesty would do it in an extraordinary course;" which, upon the sudden, would have puzzled him to have done; having neither soldier, cannon, or powder to effect it; the want of which as much troubled the sheriff. In the end, the gentlemen of the county, who had not yet otherwise declared themselves on either side, than by waiting on his majesty, finding that the king would not go from the town till that nuisance was removed; and that it might bring inconveniences, charge, and mischief to the county of a high nature; so prevailed, that, as his majesty was contented to take no notice of it, so they within the house, in the night, upon assurance of safety and liberty to go whither they would, removed and left the house; and so that matter was quieted.

The other [accident] was, or was like to have proved, more ridiculous: Some of the king's servants, hearing that the earl of Stamford, and the other militia men, were newly gone out of the town, had of themselves, coming thither before the king, galloped after them; intending to have apprehended them, and brought them before the king; and, though the other were too fleet for them, had, in the way, overtaken Dr. Bastwick, a man well known, who had been a principal officer with them at Leicester, and fled at the same time, but could



not keep pace with his commanders: him they brought to the town, where, by the sheriff, he was committed to prison; having confessed enough treason, and justifying it, as would have justly hanged any subject. The king thought once to have had him indicted then at the assizes, upon the plain statute of 25 Edw. III. But the judge besought his majesty not to put a matter of so great moment, upon which the power of the two houses of parliament, and a parliament sitting, must be determined, before one single judge, whose reputation was not enough to bear so great a burden: however, he declared his own opinion fully to his majesty, "that it was treason; which, he believed, all the other judges must acknowledge; and, being convened together by his majesty to that purpose, he thought a joint declaration and resolution of all together might be of great use to the king; whereas the publishing of his particular opinion could only destroy himself, and nothing advance his majesty's service: besides, he had no reason to be so confident of the country, as to conclude, that a jury, then suddenly summoned, would have courage to find the bill; and then their not doing it, if it were attempted, would prove a greater countenance to the ordinance, than the vote of the two houses had yet given it." This last reason gave his majesty greater satisfaction; so that he was contented that the fellow should be kept in prison, and the trial be deferred, till he could conveniently summon more judges to be present.

His majesty was no sooner persuaded to be content that this prosecution might be suspended, but the close agents for the parliament's service, who were not yet discovered, but appeared very entire to the king, so dexterously carried themselves, that they prevailed with those gentlemen of the country, whose zeal to his majesty was most eminent and unquestionable, and even with the judge himself, "to wish, that his majesty would freely and graciously discharge the doctor of his imprisonment; or give the judge leave to do so upon a *habeas corpus*;" which he was advised to require: "and that it would be such an act of mercy and singular justice, that would not only work upon the people of that county to his majesty's advantage, but must have a great influence upon the whole kingdom, and even upon the parliament itself." And with this strange desire the good judge, and those principal gentlemen, confidently came to the king, the night before he intended to return northward. His majesty told them, "he would think of it till the next morning." And, in the mean time, concluding by what he heard, that though he should refuse to discharge him, or to consent that he should be discharged, his restraint would not be long in that place after his departure, the people already resorting to him with great license, and the doctor, according to his nature, talking seditiously and loudly, he directed "a messenger of the chamber very early, with such assistance as the sheriff should give him, to carry him away to Nottingham; and, by the help of that sheriff, to the gaol at York:" which was executed accordingly with expedition and secrecy; if either of which had been absent, it is certain the common people had rescued him; which, of how trivial a moment soever it shall be thought, I could not but mention as an instance of the spirit and temper of that time,

and the great disadvantage the king was upon, that so many very good men thought fit, at a time, when very many hundreds of persons of honour and quality were imprisoned with all strictness and severity by the parliament, upon the bare suspicion that they meant to go to the king, or that they wished well to him, or for not submitting to some illegal order or command of theirs, that the king should discharge an infamous person, taken in an act of high treason, and who more frankly and avowedly professed sedition, than he did the science of which he pretended to be doctor.

The king, according to his appointment, returned towards Hull, in expectation of an answer from the parliament; which came two days after the appointed day, but with no solemnity of messengers, or other ceremony, than inclosed to one of the secretaries to be presented to the king, in which they told him,

"That they could not, for the present, with the discharge of the trust reposed in them for the safety of the king and kingdom, yield to those demands of his majesty. The reason why they took into their custody the town of Hull, the magazine, and navy; passed the ordinance of the militia; and made preparation of arms; was for security of religion, the safety of his majesty's person, of the kingdom, and parliament; all which they did see in evident and imminent danger; from which when they should be secured, and that the forces of the kingdom should not be used to the destruction thereof, they should then be ready to withdraw the garrison out of Hull, to deliver the magazine and navy, and settle the militia, by bill, in such a way as should be honourable and safe for his majesty, most agreeable to the duty of parliament, and effectual for the good of the kingdom; as they had professed in their late petition. And for adjourning the parliament, they apprehended no reason for his majesty to require it, nor security for themselves to consent to it. And as for that reason which his majesty was pleased to express, they doubted not but the usual place would be as safe for his royal person, as any other; considering the full assurance they had of the loyalty and fidelity of the city of London to his majesty; and the care which his parliament would ever have to prevent any danger, which his majesty might justly apprehend; besides the manifold conveniences to be had there, beyond other parts of the kingdom. And as for the laying down of arms; when the causes which moved them to provide for the defence of his majesty, the kingdom, and parliament, should be taken away, they should very willingly and cheerfully forbear any further preparations, and lay down their force already raised."

Which replication, as they called it, to his majesty's answer, they ordered "to be printed, and read in all churches and chapels within the kingdom of England, and dominion of Wales."

And so the war was now denounced by their express words against his majesty, as it had been long before in their actions; and both parties seemed to give over all thoughts of further treaties and overtures; and each prepared to make himself considerable by the strength and power of such forces as they could draw together.

In London they intended nothing but the forming of their army, and such other things of power, as [were] in order thereunto. To that purpose,

the bill for the payment of tonnage and poundage being expired on the first day of July, and they having sent another of the same nature to the king for his consent, for six months longer, his majesty, since he saw that, and all other money properly belonging to him, violently taken from him, and employed by them against him, refused to give his royal assent thereunto: whereupon, without the least hesitation, (albeit it had been enacted this very parliament, "that whosoever should presume "to pay or receive that duty, after the expiration "of the act, before the same was regrantd by his "majesty with the consent of the lords and commons, should be in a premunire;" which is the heaviest punishment inflicted by law, but the loss of life,) they appointed and ordered by the power of the two houses, (which they called an ordinance of parliament,) "that the same duty should be "continued; and declared, that they would save "all persons concerned from any penalty or "punishment whatsoever:" by which, they now became possessed of the customs in their own right.

Towards such as any ways (though under the obligation of oaths or offices) opposed or discountenanced what they went about, they proceeded with the most extravagant severity that had been ever heard of; of which I shall only mention two instances; the first, of the lord mayor of London, sir Richard Gurney, a citizen of great wealth, reputation, and integrity; whom the lords had, upon the complaint of the house of commons, before their sending the last petition to the king, (of which his majesty gave them a touch in his answer,) committed to the tower of London; for causing the king's proclamation against the militia, by virtue of his majesty's writ to him directed, and according to the known duty of his place, to be publicly proclaimed. And shortly after, that they might have a man more compliant with their designs to govern the city, notwithstanding that he insisted upon his innocence, and made it appear that he was obliged by the laws of the land, the customs of the city, and the constitution of his office and his oath, to do whatsoever he had done; he was by their lordships, in the presence of the commons, adjudged "to be put out of his office of lord mayor of London; "to be utterly incapable of bearing office in city "or kingdom, and incapable of all honour or dignity; and to be imprisoned during the pleasure "of the two houses of parliament." And, upon this sentence, alderman Pennington, so often before mentioned, was, by the noise and clamour of the common people, against the customs and rules of election, made mayor, and accordingly installed; and the true, old, worthy mayor committed to the tower of London; where he hath with notable courage and constancy continued to this present.

The other instance I think fit to mention is that of judge Mallet; who, as is before remembered, was committed to the tower the last Lent, for having seen a petition prepared by the grand jury of Kent, for the countenance of the Book of Common Prayer, and against the imposition of the militia by ordinance without the royal assent. This judge (being, this summer circuit, again judge of assize for those counties) sitting at Maidstone upon the great assize, some members of the house of commons, under the style and title of a committee of parliament, came to the bench; and, producing some votes, and orders, and declarations of one or

both houses, "required him, in the name of the "parliament, to cause those papers" (being on the behalf of the ordinance of the militia, and against the commission of array) "to be read." He told them, "that he sat there by virtue of his majesty's "commissions; and that he was authorized to do "any thing comprised in those commissions; but "he had no authority to do any thing else; and "therefore, there being no mention, in either of "his commissions, of those papers, or the publishing any thing of that nature, he could not, nor "would do it;" and so (finding less respect and submission than they expected, both to their persons and their business, from the learned judge, and that the whole county, at least the prime gentlemen and the grand jury, which [represented] the county, contemned both much more) this committee returned to the house with great exclamations against Mr. Justice Mallet, "as the fomentor "and protector of a malignant faction against the "parliament." And, upon this charge, a troop of horse was sent to attend an officer; who came with a warrant from the houses, or some committee, (whereas justice Mallet, being an assistant of the house of peers, could not regularly be summoned by any other authority,) to Kingston in Surrey, where the judge was keeping the general assizes for that county; and, to the unspeakable dishonour of the public justice of the kingdom, and the scandal of all ministers or lovers of justice, in that violent manner took the judge from the bench, and carried him prisoner to Westminster; from whence, by the two houses, he was committed to the tower of London; where he remained for the space of above two years, without ever being charged with any particular crime, till he was redeemed by his majesty by the exchange of another, whose liberty they desired.

By these heightened acts of power and terror, they quickly demonstrated how insecure it would be for any man, at least not to concur with them. And, having a general, arms, money, and men enough at their devotion, they easily formed an army, publicly disposing such troops and regiments, as had been raised for Ireland, and, at one time, one hundred thousand pounds of that money, which, by act of parliament, had been paid for that purpose, towards the constituting that army, which was to be led against their lawful sovereign. So that it was very evident, they would be in such an equipage within few weeks, both with a train of artillery, horse, and foot, all taken, armed, furnished, and supplied out of his majesty's own magazines and stores, that they had not reason to fear any opposition. In the mean time, they declared, and published to the people, "that they "raised that army only for the defence of the parliament, the king's person, and the religion, "liberty, and laws of the kingdom, and of those, "who, for their sakes, and for those ends, had "obeyed their orders: that the king, by the institution of evil counsellors, had raised a great army "of papists; by which he intended to awe and "destroy the parliament; to introduce popery and "tyranny: of which intention, they said, his re- "quering Hull; his sending out commissions of "array; his bespeaking arms and ammunition "beyond the seas; (there having been some "brought to him by the ship called the Providence;) his declaring sir John Hotham traitor; "and the putting out the earl of Northumberland

"from being lord high admiral of England; his removing the earl of Pembroke, Essex, Holland, the lord Fielding, and sir Henry Vane, from their several places and employments; were sufficient and ample evidences: and therefore they conjured all men to assist their general, the earl of Essex." And, for their better and more secret ransaction of all such counsels, as were necessary to be entered upon, or followed, they chose a committee, of some choice members of either house, to intend the great business of the kingdom with reference to the army; who had authority, without so much as communicating the matter to the house, to imprison persons, seize upon estates; and many other particulars, which the two houses, in full parliament, had not the least regular, legal, justifiable authority to do. And for the better encouragement of men to engage in the service, the lord Kimbolton, and the five members of the house of commons, formerly accused by his majesty of high treason, upon solemn debate, had several regiments conferred on them; and, by their example, many other members of both houses, some upon their lowness, and decayedness of their fortunes, others to get name and reputation to be in the number of reformers, (amongst whom they doubted not all places of honour, or offices of profit, would be bestowed,) most upon the confidence, that all would be ended without a blow, by the king's want of power to gather strength, desired and obtained command of horse or foot; their quality making amends for their want of experience, and their other defects; which were repaired by many good officers, both English and Scots; the late troubles having brought many of that tribe to London, and the reputation of the earl of Essex having drawn others, out of the Low Countries, to engage in that service. In the choice of whom, whilst they accused the king of a purpose to bring in a foreign force, and of entertaining papists, they neither considered nation or religion; but entertained all strangers and foreigners, of what religion soever, who desired to run their fortune in war.

On the other side, preparations were not made with equal expedition and success by the king, towards a war: for, though he well understood and discerned that he had nothing else to trust to, he was to encounter strange difficulties to do that. He was so far from having money to levy or pay soldiers, that he was, at this very time, compelled, for very real want, to let fall all the tables kept by his officers of state in court, by which so many of all qualities subsisted; and the prince, and duke of York, eat with his majesty; which table only was kept. And whoever knows the constitution of a court, well knows what indispositions naturally flow from those declensions; and how ill those tempers bear any diminution of their own interests; and, being once indisposed themselves, how easily they infect others. And that which made the present want of money the more intolerable, there was no visible hope from whence supply could come, in any reasonable time: and that which was a greater want than money, which men rather feared than found, there were no arms; for, notwithstanding the fame of the great store of ammunition brought in by that ship, it consisted only in truth of cannon, powder, and bullet, with eight hundred muskets, which was all the king's magazine. So that the hastening of levies, which at that time was believed would not prove difficult,

would be to little purpose, when they should continue unarmed. But that which troubled the king more than all these real incapacities of making war, was the temper and constitution of his own party; which was compounded, for the most part, in court, council, and country, of men drawn to him by the impulsion of conscience, and abhorring the unjust and irregular proceedings of the parliament; otherwise unexperienced in action, and unacquainted with the mysteries and necessary policy of government; severe observers of the law, and as scrupulous in all matters of [religion,] as the other pretended to be: all his majesty's ancient counsellors and servants, (except some few of lasting honour, whom we shall have occasion often to mention,) being to redeem former oversights, or for other unworthy designs, either publicly against him in London, or privately discrediting his interest and actions in his own court. These men still urged "the execution of the law; that what extravagances soever the parliament practised, the king's observation of the law would, in the end, suppress them all:" and, indeed, believed the raising a war to be so wicked a thing, that they thought it impossible the parliament should intend it, even when they knew what they were doing. However [they] concluded, "that he, that was forwardest in the preparing an army, would be first odious to the people; by the affections of whom, the other would be easily suppressed."

This was the general received doctrine; and though it appeared plainly to others, (of equal affection to the public peace,) how fatal those conclusions, in that sense in which they were urged, must prove to the whole kingdom; and how soon the king must be irrecoverably lost, if he proceeded not more vigorously in his defence; yet even those men durst not, in any formed and public debate, declare themselves; or speak that plain English the state of affairs required; but satisfied themselves with speaking, what they thought necessary, to the king in private; so that by this means the king wanted those firm and solid foundations of counsel and foresight, as were most necessary for his condition: so that he could neither impart the true motives and grounds of any important action, nor discover the utmost of his designs. And so he still pretended (notwithstanding the greatest and avowed preparations of the enemy) to intend nothing of hostility, but in order to the reducing of Hull; the benefit of which, he hoped, would engage the trained bands of that great county, (which was the sole strength he yet drew thither,) till he could bring other forces thither, which might be fit for that, or any other design.

But there was another reason of his majesty's going to and staying at Beverley, than was understood; and, it may be, if it had been known, might have produced a better effect; which I think necessary to insert in this place. The lord Digby, whom we have mentioned before, in the first disorder, by which the king and queen were driven from London, to have left England, and to be after unreasonably accused by the house of commons of high treason, had remained from that time in Holland; and, hearing the king's condition at York to be so much improved beyond what he left it at Windsor, had, with some commands from the queen, arrived there very privately, and staid some days in a disguise at York, revealing himself to very few friends, and speaking with the king in so secret a manner

in the night, that no notice was taken of his being there; and, finding the king's affairs not in so good a posture as he expected, and conceiving it yet not fit for him to appear, resolved to return again to the queen, and to hasten that provision of arms and ammunition, without which it was not possible for the king to resist any violence that threatened him; and so, in the same bark which brought him over, he went again to sea for Holland, with Wilmot, Ashburnham, Pollard, and Berkley; who purposely removed themselves from court, upon the clamour of the parliament, till the king was ready to use their service. They were not many hours at sea, when they met the Providence, (which we mentioned before,) with the ammunition, which was only wanted; and, well knowing her, they agreed, "that Wilmot, Pollard, Berkley, should return with the ammunition to the king; and Digby, and col. Ashburnham should pursue their former intentions for Holland." But their parleys continued so long, that the parliament ships, who had watched and chased the Providence, came up to them, and though the ship escaped, and run on shore, as was before mentioned, yet the fly-boat, in which the lord Digby was, could not so well get away; but was taken by them, and carried in with so much the more choler and triumph into Hull, that they had been disappointed of their greater prize. Col. Ashburnham, though he was in great umbrage with the parliament, and one of those delinquents, whom they reproached the king with, was so well known to sir John Hotham, with whom he stood in a good degree of familiarity, that he could not dissemble or conceal himself; but the lord Digby, being in so real a disguise, that his nearest friends would not easily have known him, pretended to be a Frenchman, whose language he spoke excellently; and seemed to be so sea-sick, that he kept himself in the hole of the bark, till they came to Hull; and, in that time, disposed of such papers as were not fit to be perused; and when he came on shore, so well counterfeited sickness, and want of health, that he easily procured himself to be sent, under a guard, to some obscure corner for repose; whilst col. Ashburnham, who was the only prisoner they thought worth the looking after, was carefully carried to the governor; who received him with as much civility as he could reasonably expect.

The lord Digby, being by himself, quickly considered the desperateness of his condition: "that it would not be possible to conceal himself long, being so well known to many who were in the Providence, and the garrison quickly knowing whatsoever was spoken of in the country: that he was, how unjustly or unreasonably soever, the most odious man of the kingdom to the parliament; into whose hands if he should then come, his life would be, at least, in apparent hazard." And how to get himself out of that labyrinth was very difficult, since sir John Hotham was so far from any inclination of kindness towards him, as he had to col. Ashburnham, that he was in the number of his most notorious enemies. However, in this eminent extremity, (as he is a man of the greatest presentness of mind, and the least unappalled upon danger, that I have known,) he resolved not to give himself over; and found means to make one of his guard, in broken English, which might well have become any Frenchman,

understand, "that he desired to speak privately with the governor; and that he would discover some secrets of the king's and queen's to him, that would highly advance the service of the parliament." The fellow made haste to let the governor know these good tidings; who understanding French well, as speedily sent for the Frenchman; who was brought before him in the presence of much company, and, without any disorder, gave such an account of himself, as they understood him to have seen much of the French service, (of which he spoke very fluently,) and to have come over recommended to the king for some command, if he should have occasion to use soldiers; as, he said, people abroad conceived him likely to have. After he had entertained the company with such discourse, there being present some gentlemen, who came lately out of France, and so being the more curious to administer questions, he applied himself to the governor; and told him, "that if he might be admitted to privacy with him, he would discover somewhat to him, which he would not repent to have known." The governor, who was a man apt enough to fear his own safety, but more apprehensive of the jealousies which would attend him, (for his eldest son, and some others, were more absolutely confided in by the parliament than himself, and were in truth but spies over him,) would not venture himself in another room; but drew him to a great window at a convenient distance from the company, and wished him "to say what he thought fit." The lord Digby, finding he could not obtain more privacy, asked him, in English, "whether he knew him?" The other, appalled, told him, "No." "Then," said he, "I shall try whether I know sir John Hotham; and whether he be, in truth, the same man of honour I have always taken him to be;" and, thereupon, told him who he was; and "that he hoped he was too much a gentleman to deliver him up a sacrifice to their rage and fury, who, he well knew, were his implacable enemies." The other, being surprised and astonished, and fearing that the by-standers would discover him too, (for, being now told who he was, he wondered he found it not out himself,) he desired him "to say no more for the present; that he should not be sorry for the trust he reposed in him, and should find him the same man he had thought him: that he would find some time, as soon as conveniently he might, to have more conference with him. In the mean time, that he should content himself with the ill accommodation he had, the amendment whereof would beget suspicion: and so he called the guard instantly to carry him away, and to have a very strict eye upon him;" and, turning to the company, and being conscious to himself of the trouble and disorder in his countenance, told them, "that the Frenchman was a shrewd fellow, and understood more of the queen's counsels and designs, than a man would suspect: that he had told him that which the parliament would be glad to know; to whom presently he would make a despatch, though he had not yet so clear informations, as he presumed, he should have after two or three days;" and so departed to his chamber.

It was a wonderful influence, that this noble person's stars (which used to lead him into and out of the greatest perplexities and dangers, throughout the whole course of his life) had upon this whole af-

fair. Hotham was, by his nature and education, a rough and a rude man; of great covetousness, of great pride, and great ambition; without any bowels of good nature, or the least sense or touch of generosity; his parts were not quick and sharp, but composed, and he judged well; he was a man of craft, and more like to deceive, than to be cozened: yet, after all this, this young nobleman, known and abhorred by him, for his admirable faculty of dissimulation, had so far prevailed, and imposed upon his spirit, that he resolved to practise that virtue, which the other had imputed to him; and which he was absolutely without; and not to suffer him to fall into the hands of his enemies. He sent for him, the next day, and at an hour when he was more vacant from attendants and observers; and, at first, told him his resolution; "that, since he had so frankly put himself into his hands, he would not deceive his trust;" and wished him "to consider, in what way, and by what colour, he should so set him at liberty, that he might, without any other danger, arrive at the place where he would be. For," he said, "he would not trust any person living with the secret, and least of all his son;" whom he mentioned with all the bitterness imaginable, "as a man of an ill nature, and furiously addicted to the worst designs the parliament had, or could have; and one that was more depended upon by them than himself, and sent thither only as a spy upon him." And from hence he entered upon the discourse "of the times, and mischief that was like to befall the whole kingdom, from this difference between the king and the parliament." Then lamented his own fate, "that, being a man of very different principles from those who drove things to this extremity, and of entire affection and duty to the king, he should now be looked upon as the chief ground and cause of the civil war which was to ensue, by his not opening the ports, when the king would have entered into the town:" of which business, and of all the circumstances attending it, he spake at large; and avowed, "that the information sent him of the king's purpose presently to hang him, was the true cause of his having proceeded in that manner."

The lord Digby, who knew well enough how to cultivate every period of such a discourse, and how to work upon those passions which were most predominant in him, joined with him in the sense of the calamities, which were like to befall the nation; which he bewailed pathetically; and, "that it should be in the power of a handful of ill men, corrupted in their affections to the king, and against monarchy itself, [to be] able to involve him, and many others of his clear intentions, in their dark counsels, and to engage them to prosecute ends which they abhorred, and which must determine in the ruin of all the undertakers. For, he told him, that the king, in a short time, would reduce all his enemies: that the hearts of the people were already, in all places, alienated from them; and that the fleet was so much at the king's disposal, that, as soon as they should receive his orders, they would appear in any place he appointed: that all the princes in Christendom were concerned in the quarrel, and would engage in it, as soon as they should be invited to it: and that the prince of Orange was resolved to come over in the head of his army, and would take Hull in three days." All which ought, reasonably, to have been true in the practick, though it had very little ground in the

speculation. And when he had, by degrees, amused and terrified him with this discourse, he enlarged upon "the honour and glory that man would have, who could be so blessed, as to prevent this terrible mass of confusion, that was in view: that king and people would join in rewarding him with honours and preferments of all kind; and that his name would be derived to posterity, as the pre-servant of his country." He told him, "He was that man, that could do all this; that, by delivering up Hull to the king, he might extinguish the war; and that immediately a peace would be established throughout the kingdom: that the world believed, that he had some credit both with the king and queen; that he would employ it all in his service; and if he would give him this rise to begin upon, he should find, that he would be much more solicitous for his greatness, and a full recompence for his merit, than he was now for his own safety." All these advertisements and reflections were the subject of more than one discourse; for sir John Hotham could not bear the variety and burden of all those thoughts together; but within two days all things were adjusted between them. Hotham said, "it would not become him, after such a refusal, to put the town into the king's hands; nor could he undertake (if he resolved) to effect it; the town itself being in no degree affected to his service; and the trained bands, of which the garrison wholly consisted, were under officers, upon whom he could not depend. But," he said, "if the king would come before the town, though but with one regiment, and plant his cannon against it, and make but one shot, he should think he had discharged his trust to the parliament, as far as he ought to do; and that he would immediately then deliver up the town; which he made no doubt but that he should be then able to do." And, on this errand, he was contented the lord Digby should go to the king, and be conducted out of the town beyond the limits of danger; the governor having told those officers he trusted most, that "he would send the Frenchman to York; who, he was well assured, would return to him again." And he gave him a note to a widow, who lived in the city, at whose house he might lodge, and by whose hands he might transmit any letter to him.

When he came to York, and after he had spoke with his friend Mr. Hyde and the other two, who were always together, and the king had notice of his arrival, it was resolved, that he should appear in his own likeness, and wait upon the king in public, that it might be believed, that he had transported himself from Holland in the ship that had brought the ammunition; which was hardly yet come to York, it being now about the time that Mr. Villiers and sir John Pennington had been sent away, and before the news came of their ill success. This was the cause of the sudden march to Hull, before there was a soldier levied to make an assault, or maintain a siege; which was so much wondered at then, and so much censured afterwards. For as soon as his majesty received this assurance, and, besides the confidence of the lord Digby, [which he had] so much reason to depend upon, by the treatment he had received, he declared "he would, upon such a day, go to Beverley," a place within four miles of Hull; and appointed three or four regiments of the country, under the command of such gentlemen whose affection was unquestionable, to

march thither, as a guard to his person; and likewise sent a little train of artillery, which might be ready for the summons. And when his majesty was ready with his equipage for his march, the lord Digby returned again in his old mode to Hull, to make sure that all things there might correspond with the former obligation. As soon as the king, and the whole court, (for none remained at York,) came to Beverley, (where they were well accommodated, which kept them from being quickly weary,) and the trained bands were likewise come thither, and the general, the earl of Lindsey, first took possession of his office; a little troubled, and out of countenance, that he should appear the general without an army; and be engaged in an enterprise, which he could not imagine would succeed; his majesty wished him to send out some officers, of which there was a good store, to take a view of the town, and of such advantage ground, within distance, upon which he might raise a battery; as if he meant on a sudden to assault the place; which appeared no unreasonable design, if there were a good party in the town to depend upon. And yet the general had no opinion, that his army of trained bands would frankly expose themselves to such an attack. Besides a great number of officers, and persons of quality, who were all well horsed, and had many servants as well provided, the king had his troop of guards so constituted as hath been said before; and there were few horse in Hull, without officers who understood that kind of service. So that it was no hard matter to take a very full view of the town, by riding to the very ports, and about the walls; nor, at first appearance, was there any show of hostility from the town upon their nearest approaches to it; but after they had made that visit two or three days together, they observed that the walls were better manned, and that there was every day an increase of labourers repairing the works; and then they begun to shoot, when any went within distance of the works.

Sir John Hotham had tried some of his officers, in whose particular affection he had most confidence, how far they were like to be governed by him; and found them of a temper not to be relied upon. His son was grown jealous of some design, and was caballing with those who were most notorious for their disaffection to the government; and some new officers were sent down by the parliament, to assist in the defence of the town, which, they thought, might probably be attempted; and supplies of men had been taken in from the ships, and had been sent thither from Boston, a neighbour town of eminent disloyalty. So that, when the lord Digby returned thither, he found a great damp upon the spirit of the governor, and a sadness of mind, that he had proceeded so far; of which he made all the haste he could to advertise the king; but his letters must first be sent to York before they could come to Beverley; and, when they were received, they contained still somewhat of hope, "that he might restore him to his former courage, and confirm his resolution:" so that the king seemed to defer any attempt, upon the hopes of the earl of Holland's message [before mentioned], and, in the end, he was compelled to give over the design, all hope from the governor growing desperate; whether from his want of courage, or want of power to execute what he desired, remains still uncertain. When he gave over further thought of it, he dismissed both the lord

Digby, and colonel Ashburnham, whom he had likewise detained till then, as a man of use in the execution of the design, with many professions of duty to the king; and as the concealing those two persons, and afterwards releasing them, immediately increased the jealousy of the parliament against him, so it was the principal cause, afterwards, of the loss of his head.

The king, after three weeks' or a month's stay at Beverley, dismissed the trained bands, weary of their service, and returned with his court to York, in so much less credit than when he came from thence, as the entering into a war without power, or preparation to prosecute it, was like to produce. And the inconvenience was the greater, because the principal persons of quality, of court or country, and the officers, had the less reverence for the king's conduct, by seeing such an action entered upon with so little reason, and prosecuted so perfunctorily: all which reproaches his majesty thought fitter to bear, than to discover the motives of his journey; which were then known to few, nor, to this day, have been published.

When the king returned to York, exceedingly troubled at the late march he had made, and all men expressing great impatience to be in action, very many persons of honour and quality, having attended long at court, did believe they might be more useful to his majesty's service in their own countries, in restraining the disaffected from any seditious attempts, and disposing the people in general to be constant in their loyalty, an accident fell out, that made it absolutely necessary for the king to declare the war, and to enter upon it, before he was in any degree ripe for action; which was, that Portsmouth had declared for the king, and refused to submit to the parliament, which had thereupon sent an army, under the command of sir William Waller, to reduce it. The relating how this came to pass, requires a large discourse, which will administer much variety, not without somewhat of pleasure and wonder, from the temper and spirit of the person who conducted that action; if it can be said to be conducted without any conduct.

We have remembered before, in the last year, the discourse of the bringing up the army to London, to awe the parliament, and the unspeakable dishonour and damage the king sustained by that discourse, how groundless soever it was; all which was imputed to colonel Goring, who, by that means, grew into great reputation with the parliament, as a man so irrecoverably lost at court, that he would join with them in the most desperate designs; yet he carried himself with so great dexterity, that, within few months, he wrought upon the king and queen to believe, that he so much repented that fault, that he would redeem it by any service; and to trust him to that degree, that the queen once resolved, when the tumults drove their majesties first from London, for her security, to put herself into Portsmouth, which was under his government; whilst his majesty betook himself to the northern parts; which design was no sooner over, (if not before,) than he again intimated so much of it to the lord Kimbolton, and that party, that they took all the trust he had from court, to proceed from the confidence their majesties had of his father's interest in him; whose affection and zeal to their service was ever most indubitable: but assured themselves he was their own, even against his own father. So

that he carried the matter so, that, at the same time, he received 3000*l.* from the queen, (which she raised by the sale of her plate and some jewels,) to fortify, and victual, and reinforce his garrison, against the time it should be necessary to declare for the king; and a good supply from the parliament, for the payment of the garrison, that it might be kept the better devoted to them, and to their service. All which he performed with that admirable dissimulation, and rare confidence, that, when the house of commons was informed by a member, whose zeal and affection to them was as much valued as any man's, "that all his correspondence in the county [was] with the most malignant persons; that of those, many frequently resorted to, and continued with him in the garrison; that he was fortifying, and raising batteries towards the land; and that in his discourses, especially in the seasons of his good fellowship, he used to utter threats against the parliament, and sharp censures of their proceedings;" and upon such informations (the author whereof was well known to them, and of great reputation; and lived so near Portsmouth, that he could not be mistaken in the matter of fact) the house sent for him, most thinking he would refuse to come; colonel Goring came, upon the summons, with that undauntedness, that all clouds of distrust immediately vanished, in so much as no man presumed to whisper the least jealousy of him; which he observing, he came to the house of commons, of which he was a member, and, having sat a day or two patiently, as if he expected some charge, in the end he stood up, with a countenance full of modesty, and yet not without a mixture of anger, (as he could help himself with all the insinuations of doubt, or fear, or shame, or simplicity in his face, that might gain belief, to a greater degree than I ever saw any man; and could seem the most confounded when he was best prepared, and the most out of countenance when he was best resolved, and to want words, and the habit of speaking, when they flowed from no man with greater power,) and told them, "that he had been sent for by them, upon some information given against him, and that, though he believed, the charge being so ridiculous, they might have received, by their own particular inquiry, satisfaction; yet the discourses that had been used, and his being sent for in that manner, had begat some prejudice to him in his reputation; which if he could not preserve, he should be less able to do them service; and therefore desired, that he might have leave (though very unskilful, and unfit to speak, in so wise and judicious an assembly) to present to them the state and condition of that place under his command; and then he doubted not but to give them full satisfaction in those particulars, which possibly had made some impression in them to his disadvantage: that he was far from taking it ill from those, who had given any information against him; for, what he had done, and must do, might give some umbrage to well affected persons, who knew not the grounds and reasons, that induced him so to do; but that if any such person would at any time, resort to him, he would clearly inform them of whatever motives he had; and would be glad of their advice and assistance for the better doing thereof." Then he took notice of every particular that had been publicly said against him, or privately whispered, and gave such plausible answers

to the whole, intermingling sharp taunts, and scorn, to what had been said of him, with pretty application of himself, and flattery to the men that spake it: concluding, "that they well knew in what esteem he stood with others: so that if, by his ill carriage, he should forfeit the good opinion of that house, upon which he only depended, and to whose service he entirely devoted himself, he were madder than his friends took him to be, and must be as unpitied in any misery, that could befall him, as his enemies would be glad to see him." With which, as innocently and unaffectedly uttered, as can be imagined, he got so general an applause from the whole house, that, not without some little apology for troubling him, they desired him again to repair to his government, and to finish those works, which were necessary for the safety of the place;" and gratified him with consenting to all the propositions he made in behalf of his garrison, and paid him a good sum of money for their arrears; with which, and being privately assured (which was indeed resolved on) that he should be lieutenant-general of their horse in their new army, when it should be formed, he departed again to Portsmouth; in the mean time assuring his majesty, by those who were trusted between them, "that he would be speedily in a posture to make any such declaration for his service, as he should be required;" which he was forced to do sooner than he was provided for, though not sooner than he had reason to expect.

When the levies for the parliament army were in good forwardness, and he had received his commission for lieutenant-general of the horse, he wrote to the lord Kimbolton, who was his most bosom friend, and a man very powerful, "that he might not be called to give his attendance upon the army, till it was ready to march; because there were so many things to be done, and perfected, for the safety of that important place, that he was desirous to be present himself at the work as long as was possible. In the mean time, he had given directions to his agent in London, to prepare all things for his equipage; so that he would be ready to appear, at any rendezvous, upon a day's warning." Though the earl of Essex did much desire his company and assistance in the council of war, and preparing the articles, and forming the discipline for the army, he having been more lately versed in the order and rule of marches, and the provisions necessary or convenient thereunto, than any man then in their service, and of greater command than any man but the general; yet the lord Kimbolton prevailed, that he might not be sent for, till things were riper for action. And, when that lord did afterwards write to him, "that it was time he should come away," he sent such new and reasonable excuses, that they were not unsatisfied with his delay; till he had multiplied those excuses so long, that they begun to suspect; and they no sooner inclined to suspicion, but they met with abundant arguments to cherish it. His behaviour and course of life was very notorious to all the neighbours, nor was he at all reserved in his mirth, and public discourses, to conceal his opinion of the parliament, and their proceedings. So that, at last, the lord Kimbolton writ plainly to him, "that he could no longer excuse his absence from the army, where he was much wanted; and that, if he did not come to London by such a short day,



"as he named, he found his integrity would be doubted; and that many things were laid to his charge, of which he doubted not his innocence; and therefore conjured him, immediately, to be at Westminster." It being now to be no longer deferred, or put off, he writ a jolly letter to that lord, "that, the truth was, his council advised him, that the parliament did many things which were illegal; and that he might incur much danger by obeying all their orders; that he had received the command of that garrison from the king; and that he durst not be absent from it, without his leave:" and concluded with some good counsel to the lord.

This declaration [of the governor] of a place, which had the reputation of being the only place of strength in England, and situated upon the sea, put them into many apprehensions; and they lost no time in endeavouring to reduce [it]; but, upon the first understanding his resolution, sir William Waller was sent, with a good part of the army, so to block up the place, that neither men or provision might be able to get in; and some ships were sent from the fleet, to prevent any relief by sea: and these advertisements came to the king, as soon as he returned to York.

It gave no small reputation to his majesty's affairs, when there was so great a damp upon the spirits of men, from the misadventures at Beverley, that so notable a place as Portsmouth had declared for him, in the very beginning of the war; and that so good an officer as Goring was returned to his duty, and in the possession of the town: and the king, who was not surprised with the matter, knowing well the resolution of the colonel, made no doubt, but that he was very well supplied with all things, as he might well have been, to have given the rebels work for three or four months, at the least. However, he forthwith published a declaration, that had been long ready, in which he recapitulated all the insolent and rebellious actions which the two houses had committed against him: and declared them "to be guilty; and forbad all his subjects to yield any obedience to them;" and, at the same time, published his proclamation; by which he "required all men, who could bear arms, to repair to him at Nottingham, by the twenty-fifth of August following; on which day he would set up his royal standard there, which all good subjects were obliged to attend." And at the same time, he sent the marquis of Hertford to raise forces in the west, or, at least, to restrain those parts (where his interest and reputation was greater than any man's) within the limits of their duty to the king, and from being corrupted or perverted by the parliament; and with him went the lord Seymour, his brother; the lord Pawlet, Hopton, Stawel, Coventry, Berkeley, Windham, and some other gentlemen, of the prime quality, and interest in the western parts; and who were like to give as good examples in their persons, and to be followed by as many men, as any such number of gentlemen in England could be. And from this party, enlivened by the power and reputation of the marquis, the king was in hopes, that Portsmouth would be shortly relieved, and made the head quarter to a good army. And when all this was done, he did all that was possible to be done, without money, to hasten his levies of horse and foot, and to prepare a light train of artillery, that he might ap-

pear at Nottingham, at the day when the standard was to be set up, with such a body of men, as might be, at the least, a competent guard to his person.

Many were then of opinion, "that it had been more for his majesty's benefit and service, if the standard had been appointed to be set up at York; and so that the king had stayed there, without moving further south, until he could have marched in the head of an army, and not to depend upon gathering an army up in his march. All the northern counties were, at present, most at his devotion; and so it would be most easy to raise men there: Newcastle was the only port in his obedience, and whither he had appointed his supplies of arms and ammunition to be sent; of which he had so present need, that all his magazine, which was brought in the Providence, was already distributed to those few gentlemen, who had received commissions, and were most like speedily to raise their regiments; and it would be a very long, and might prove a very dangerous passage to get the supplies, which were daily expected, to be brought with security from Newcastle, when the king should be advanced so many days' journey beyond York." All which were very important considerations, and ought to have prevailed; but the king's inclinations to be nearer London, and the expectation he had of great effects from Portsmouth, and the west, disposed him to a willingness to prefer Nottingham; but that which determined the point, was an apparent and manifest aversion in the Yorkshire gentlemen, whose affections were least suspected, that his majesty should continue, and remain at York; which, they said, the people apprehended, "would inevitably make that country the seat of the war:" unskilfully imagining, that the war would be no where, but where the king's army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook to provide convoys for any arms and ammunition from Newcastle; to hasten the levies in their own country; and to borrow of the arms of some of the trained bands; which was the best expedient, that could be found out, to arm the king's troops, and had its reverse in the murmurs it produced, and in leaving the best affected men, by being disarmed, at the mercy of their enemies; who carefully kept their weapons, that they might be ready to fight against the king. This caused the resolution to be taken for Nottingham, without enough weighing the objections, which, upon the entrance into great actions, cannot be too much deliberated, though, in the execution, they shall be best shut out. And it quickly appeared in those very men, who prevailed most in that council; for, when the time drew on, in which his majesty was to depart, and leave the country, then they remembered, "that the garrison of Hull would be left as a thorn in their sides, where there were well formed and active troops, which might march over the country without control, and come into York itself without resistance; that there were many disaffected persons of quality and interest in the country, who, as soon as the king should be gone, would appear amongst their neighbours, and find a concurrence from them in their worst designs; and that there were some places, some whole corporations, so notoriously disaffected,



"especially in matters relating to the church, that "they wanted only conductors to carry them into "rebellion."

These, and the like reflections, made too late impressions upon them; and now, too much, they magnified this man's power, whom before they contemned; and doubted that man's affection, of which they were before secure; and made a thousand propositions to the king this day, whereof they rejected the greatest part to-morrow; and, as the day approached nearer for the king's departure, their apprehensions and irresolutions increased. In the end, they were united in two requests to the king; that "he would commit the supreme command of the country, with reference to all military affairs, to the earl of Cumberland; and qualify him, with an ample commission, to that purpose." The other, "that his majesty would command sir Thomas Glemham to remain with them, to govern and command such forces, as the earl of Cumberland should find necessary for their defence." And this provision being made by the king, they obliged themselves to concur in making any preparations, and forming any forces the earl should require. And his majesty, as willingly, gratified them in both their desires. The earl of Cumberland was a man of great honour and integrity, who had all his estate in that country, and had lived most amongst them, with very much acceptance and affection from the gentlemen, and the common people: but he was not, in any degree, active, or of a martial temper; and rather a man more like not to have any enemies, than to oblige any to be firmly and resolutely his friends, or to pursue his interest: the great fortune of the family was divided, and the greater part of it carried away by an heir female; and his father had so wasted the remainder, that the earl could not live with that lustre, nor draw so great a dependence upon him, as his ancestors had done. In a word, he was a man of honour, and popular enough in peace, but not endued with those parts which were necessary for such a season. Sir Thomas Glemham was a gentleman of a noble extraction, and a fair fortune, though he had much impaired it; he had spent many years, in armies, beyond the seas; and he had been an officer of very good esteem in the king's armies, and of courage and integrity unquestionable; but he was not of so stirring and active a nature, as to be able to infuse fire enough into the phlegmatic constitutions of that people, who did rather wish to be spectators of the war, than parties in it; and believed, if they did not provoke the other party, they might all live quietly together; until sir John Hotham, by his excursions and depredations out of Hull, and their seditious neighbours, by their insurrections, awakened them out of that pleasant dream. And then the greatest part of the gentry of that populous country, and very many of the common people, did behave themselves with signal fidelity and courage in the king's service: of all which particulars, which deserve well to be remembered, and transmitted to posterity, there will be occasion to make mention in the following discourse.

Yet I cannot leave York without the mention of one particular; which, in truth, is so lively an instance of the spirit and temper of that time, and was a sad presage of all the misfortunes which followed. There were very few gentlemen, or men

of any quality, in that large county, who were actively or factiously disaffected to his majesty; and of those the lord Fairfax, and his son, sir Thomas Fairfax, were the chief; who were governed by two or three of inferior quality, more conversant with the people; who were as well known as they. All these were in the county, at their houses, within few miles of York; and the king resolved, at his going away, to have taken them all prisoners, and to have put them in safe custody; by which, it was very probable, those mischiefs, that shortly after broke out, might have been prevented. But the gentlemen of the county, who were met together to consult for their own security, hearing of this design, besought his majesty "not to do it;" alleging, "that he would, thereby, leave them in a worse condition, by an act so ungracious and unpopular; and that the disaffected would be so far from being weakened, that their party would be increased thereby:" many really believing, that neither father or son were transported with over-vehement inclinations to the parliament; but would willingly sit still, without being active on either side; which, no doubt, was a policy, that many of those, who wished well, desired and intended to be safe by. And so his majesty left York, taking with him only two or three of inferior rank, (whereof one Stapleton was one,) who were known to have been very active in stirring the people to sedition; and yet, upon some specious pretences, some very good men were persuaded, within few days, to procure the liberty and enlargement even of those from his majesty. So ticklish were those times, and so wary were all men to advise the king should do any thing, which, upon the strictest inquisition, might seem to swerve from the strict rule of the law; believing, unreasonably, that the softest and gentlest remedies might be most wholesomely applied to those rough and violent diseases.

The king came to Nottingham two or three days before the day he had appointed to set up the standard; having taken Lincoln in his way, and drawn some arms from the trained bands of that country with him to Nottingham; from whence, the next day, he went to take a view of his horse; whereof there were several troops well armed, and under good officers, to the number of seven or eight hundred men; with which, being informed, "that there were some regiments of foot marching towards Coventry, by the earl of Essex's orders," he made haste thither; making little doubt, but that he should be able to get thither before them, and so to possess himself of that city; and he did get thither the day before they came; but found not only the gates shut against him, but some of his servants shot and wounded from the walls: nor could all his messages and summons prevail with the mayor and magistrates, before there was any garrison there, to suffer the king to enter into the city. So great an interest and reputation the parliament had gotten over the affections of the people, whose hearts were alienated from any reverence to the government.

The king could not remedy the affront, but went that night to Stonely, the house then of sir Thomas Lee; where he was well received; and, the next day, his body of horse, having a clear

view, upon an open campania, for five or six miles together, of the [enemy's] small body of foot, which consisted not of above twelve hundred men, with one troop of horse, which marched with them over that plain, retired before them, without giving them one charge; which was imputed to the lashty [ill conduct] of Wilmot, who commanded; and had a colder courage than many who were under him, and who were of opinion, that they might have easily defeated that body of foot: which would have been a very seasonable victory; would have put Coventry unquestionably into the king's hands, and sent him with a good omen to the setting up of his standard. Whereas, that unhappy retreat, which looked like a defeat, and the rebellious behaviour of Coventry, made his majesty's return to Nottingham very melancholy; and he returned thither the very day the standard was appointed to be set up.

According to the proclamation, upon the twenty-fifth day of August, the standard was erected, about six of the clock in the evening of a very

stormy and tempestuous day. The king himself, with a small train, rode to the top of the castle-hill, Varney the knight-marshal, who was standardbearer, carrying the standard, which was then erected in that place, with little other ceremony than the sound of drums and trumpets: melancholy men observed many ill presages about that time. There was not one regiment of foot yet levied and brought thither; so that the trained bands, which the sheriff had drawn together, was all the strength the king had for his person, and the guard of the standard. There appeared no conflux of men in obedience to the proclamation; the arms and ammunition were not yet come from York, and a general sadness covered the whole town, and the king himself appeared more melancholic than he used to be. The standard itself was blown down, the same night it had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed. This was the melancholy state of the king's affairs, when the standard was set up.

END OF THE FIFTH BOOK.

## THE HISTORY OF THE REBELLION, &c.

### BOOK VI.

WHEN the king set up his standard at Nottingham, which was the 25th of August, as is before remembered, he found the place much emptier than he thought the fame of his standard would have suffered it to be; and received intelligence the next day, that the rebels' army, for such now he had declared them, was horse, foot, and cannon, at Northampton; besides that great party which, in the end of the [fifth] book, we left at Coventry: whereas his few cannon and ammunition were still at York, being neither yet in an equipage to march, though sir John Heydon, his majesty's faithful lieutenant general of the ordnance, used all possible diligence to form and prepare it; neither were there foot enough levied to guard it: and at Nottingham, besides some few of the trained bands, which sir John Digby, the active sheriff of that county, drew into the old ruinous castle there, there were not of foot levied for the service yet three hundred men. So that they who were not overmuch given to fear, finding very many places in that great river, which was looked upon as the only strength and security of the town, to be easily fordable, and nothing towards an army for defence but the standard set up, began sadly to apprehend the danger of the king's own person. Inasmuch that sir Jacob Ashley, his sergeant-major-general

of his intended army, told him, "that he could not give any assurance against his majesty's being taken out of his bed, if the rebels should make a brisk attempt to that purpose." And it was evident, all the strength he had to depend upon was his horse, which were under the command of prince Rupert at Leicester, and were not at that time in number above eight hundred, few better armed than with swords; whilst the enemy had, within less than twenty miles of that place, double the number of horse excellently armed and appointed, and a body of five thousand foot well trained and disciplined; so that, no doubt, if they had advanced, they might at least have dispersed those few troops of the king's, and driven his majesty to a greater distance, and exposed him to notable hazards and inconveniences.

When men were almost confounded with this prospect, his majesty received intelligence, that Portsmouth was so straitly besieged by sea and land, that it would be reduced in very few days, except it were relieved. For the truth is, colonel Goring, though he had sufficient warning, and sufficient supplies of money to put that place into a posture, had relied too much upon probable and casual assistance, and neglected to do that himself, [which] a vigilant officer would have done: and

albeit his chief dependence was both for money and provisions from the Isle of Wight, yet he was careless to secure those small castles and block-houses, which guarded the river; which revolting to the parliament as soon as he declared for the king, cut off all those unreasonable dependences; so that he had neither men enough to do ordinary duty, nor provisions enough for those few, for any considerable time. And at the same time with this of Portsmouth, arrived certain advertisements, that the marquis of Hertford, and all his forces in the west, from whom only the king hoped that Portsmouth should be relieved, was driven out of Somersetshire, where his power and interest was believed unquestionable, into Dorsetshire; and there besieged in Sherborne castle.

The marquis, after he left the king at Beverley, by ordinary journeys, and without making any long stay by the way, came to Bath, upon the very edge of Somersetshire, at the time when the general assizes were there held; where meeting all the considerable gentlemen of that great county, and finding them well affected to the king's service, except very few who were sufficiently known, he entered into consultation with them from whom he was to expect assistance, in what place he should most conveniently fix himself for the better disposing the affections of the people, and to raise a strength for the resistance of any attempt which the parliament might make, either against them, or to disturb the peace of the country by their ordinance of the militia, which was the first power they were like to hear of. Some were of opinion, "that Bristol would be the fittest place, being a great, rich, and populous city; of which being once possessed, they should be easily able to give the law to Somerset and Gloucestershire; and could not receive any affront by a sudden or tumultuary insurrection of the people." And if this advice had been followed, it would probably have proved very prosperous. But, on the contrary, it was objected, "that it was not evident, that his lordship's reception into the city would be such as was expected; Mr. Hollis being lieutenant thereof, and having exercised the militia there; and there being visibly many dissatisfied people in it, and some of eminent quality; and if he should attempt to go thither, and be disappointed, it would break the whole design: then that it was out of the county of Somerset, and therefore that they could not [legally] draw that people thither; besides, that it would look like fear and suspicion of their own power, to put themselves into a walled town, as if they feared the power of the other party would be able to oppress them. Whereas, besides Popham and Horner, all the gentlemen of eminent quality and fortune of Somerset were either present with the marquis, or presumed not to be inclined to the parliament." And therefore they proposed "that Wells, being a pleasant city, in the heart and near the centre of that county, might be chosen for his lordship's residence." Which was accordingly agreed on, and thither the marquis and his train went, sending for the nearest trained bands to appear before him; and presuming that in little time, by the industry of the gentlemen present, and his lordship's reputation, which was very great, the affections of the people would be so much wrought upon, and their understandings so well informed, that it would not

be in the power of the parliament to pervert them, or to make ill impressions in them towards his majesty's service.

Whilst his lordship in this gentle way endeavoured to compose the fears and apprehensions of the people, and by doing all things in a peaceable way, and according to the rules of the known laws, to convince all men of the justice and integrity of his majesty's proceedings and royal intentions; the other party, according to their usual confidence and activity, wrought underhand to persuade the people that the marquis was come down to put the commission of array in execution, by which commission a great part of the estate of every farmer or substantial yeoman should be taken from them; alleging, that some Jords had said, "that twenty pounds by the year was enough for any peasant to live by;" and so, taking advantage of the commission's being in Latin, translated it into what English they pleased; persuading the substantial yeomen and freeholders, that at least two parts of their estates would, by that commission, be taken from them; and the meaner and poorer sort of people, that they were to pay a tax of one day's labour in the week to the king; and that all should be, upon the matter, no better than slaves to the lords, and that there was no way to free and preserve themselves from this insupportable tyranny, than by adhering to the parliament, and submitting to the ordinance for the militia; which was purposely prepared to enable them to resist these horrid invasions of their liberties.

It is not easily believed, how these gross infusions generally prevailed. For though the gentlemen of ancient families and estates in that county were, for the most part, well affected to the king, and easily discerned by what faction the parliament was governed; yet there were a people of an inferior degree, who, by good husbandry, clothing, and other thriving arts, had gotten very great fortunes; and, by degrees, getting themselves into the gentlemen's estates, were angry that they found not themselves in the same esteem and reputation with those whose estates they had; and therefore, with more industry than the other, studied all ways to make themselves considerable. These, from the beginning, were fast friends to the parliament; and many of them were now intrusted by them as deputy lieutenants in their new ordinance of the militia, and having found when the people were ripe, gathered them together, with a purpose on a sudden, before there should be any suspicion, to surround and surprise the marquis at Wells. For they had always this advantage of the king's party and his counsels, that their resolutions were no sooner published, than they were ready to be executed, there being an absolute implicit obedience in the inferior sort to those who were to command them; and their private agents, with admirable industry and secrecy, preparing all persons and things ready against a call. Whereas all the king's counsels were with great formality deliberated, before concluded: and then, with equal formality, and precise caution of the law, executed; there being no other way to weigh down the prejudice that was contracted against the court, but by the most barefaced publishing all conclusions, and fitting them to that apparent justice and reason, that might prevail over the most ordinary understandings.

When the marquis was thus in the midst of an

enemy that almost covered the whole kingdom, his whole strength was a troop of horse, raised by Mr. John Digby, son to the earl of Bristol, and another by sir Francis Hawley, (both which were levied in those parts to attend the king in the north,) and a troop of horse, and a small troop of dragoons, raised and armed by sir Ralph Hopton at his own charge; and about one hundred foot gathered up by lieutenant-colonel Henry Lunsford towards a regiment, which were likewise to have marched to the king. These, with the lord Pawlet, and the gentlemen of the country, which were about eight and twenty of the prime quality there, with their servants and retinue, made up the marquis's force. Then their proceedings were with that rare caution, that upon advertisement that the active ministers of that party had appointed a general meeting at a town within few miles of Wells, sir Ralph Hopton being advised with his small troop and some volunteer gentlemen to repair thither, and to disappoint that convention, and to take care that it might produce the least prejudice to the king's service; before he reached the place, those gentlemen who stayed behind (and by whose advice the marquis thought it necessary absolutely to govern himself, that they might see all possible wariness was used in the entrance into a war, which being once entered into, he well knew must be carried on another way) sent him word, "that he should forbear any hostile act, otherwise they would disclaim whatsoever he should do." Otherwise the courage and resolution of those few were such, and the cowardice of the undisciplined seditious rabble and their leaders was so eminent, that it was very probable, if those few troops had been as actively employed as their commanders desired, they might have been able to have driven the bigots out of the country, before they had fully possessed the rest with their own rancour: which may be reasonably presumed by what followed shortly after, when Mr. Digby, sir John Stawell and his sons, with some volunteer gentlemen, being in the whole not above fourscore horse, and fourteen dragoons, charged a greater body of horse, and above six hundred foot of the rebels, led by a member of the house of commons; and without the loss of one man, killed seven in the place, hurt very many, took their chief officers, and as many more prisoners as they would; and so routed the whole body, that six men kept not together, they having all thrown down their arms.

But this good fortune abated only the courage of those who had run away, the other making use of this overthrow as an argument of the marquis's bloody purposes; and therefore, in few days, sir John Horner and Alexander Popham, being the principal men of quality of that party in that county, with the assistance of their friends of Dorset, and Devon, and the city of Bristol, drew together a body of above twelve thousand men, horse and foot, with some pieces of cannon, with which they appeared on the top of the hill over Wells; where the marquis, in contempt of them, stayed two days, having only barricadoed the town; but then, finding that the few trained bands, which attended him there, were run away, either to their own houses, or to their fellows, on the top of the hill; and hearing that more forces, or at least better officers, were coming from the parliament against him, he retired in the noon day, and in the face of that rebellious herd, from Wells to So-

merton, and so to Sherborne, without any loss or trouble. Thither, within two days, came to his lordship sir John Berkley, colonel Ashburnham, and other good officers, enough to have formed a considerable army, if there had been no other want. But they had not been long there, (and it was not easy to resolve whither else to go, they having no reason to believe they should be any where more welcome than in Somersetshire, from whence they had been now driven,) when the earl of Bedford, general of the horse to the parliament, with Mr. Hollis, sir Walter Earl, and other ephori, and a complete body of seven thousand foot at least, ordered by Charles Essex, their sergeant-major-general, a soldier of good experience and reputation in the Low Countries, and eight full troops of horse, under the command of captain Pretty, with four pieces of cannon, in a very splendid equipage, came to Wells, and from thence to Sherborne. The marquis, by this time having increased his foot to four hundred, with which that great army was kept from entering that great town, and persuaded to encamp in the field about three quarters of a mile north from the castle; where, for the present, we must leave the marquis and his great-spirited little army.

It could never be understood, why that army did not then march directly to Nottingham; which if it had done, his majesty's few forces must immediately have been scattered, and himself fled, or put himself into their hands, which there were enough ready to have advised him to do; and if he had escaped, he might have been pursued by one regiment of horse till he had quitted the kingdom. But God blinded his enemies, so that they made not the least advance towards Nottingham. They [about the king] began now to wish that he had stayed at York, and proposed his return thither; but that was not hearkened to; and they who had advised his stay there, and against the advance to Nottingham, were more against his return thither, as an absolute flight; but wished the advance of the levies, and a little patience, till it might be discerned what the enemy did intend to do. In this great anxiety, some of the lords desired, "that his majesty would send a message to the parliament, "with some overture to incline them to a treaty;" which proposition was no sooner made, but most concurred in it, and no one had the confidence to oppose it. The king himself was so offended at it, that he declared, "he would never yield to it;" and broke up the council, that it might be no longer urged. But the next day, when they met again, they renewed the same advice with more earnestness. The earl of Southampton, a person of great prudence, and a reputation at least equal to any man's, pressed it, "as a thing that might do good, and could do no harm;" and the king's reasons, with reference to the insolence it would raise in the rebels, and the dishonour that would thereby reflect upon himself, were answered, by saying "their insolence would be for the king's advantage; and when they should reject the offer of peace, which they believed they would do, they would make themselves the more odious to the people, who would be thereby the more inclined to serve the king." So that they took it as granted, that the proposition would be rejected, and therefore it ought to be made. It was farther objected, "that his majesty was not able to make resistance; that the forces before Sherborne,

"Portsmouth, and at Northampton, were three several armies, the least of which would drive his majesty out of his dominions; that it was only in his power to choose, whether, by making a fair offer himself, he would seem to make peace, which could not but render him very gracious to the people, or suffer himself to be taken prisoner, (which he would not long be able to avoid,) which would give his enemies power, reputation, and authority to proceed against his majesty, and, it might be, his posterity, according to their own engaged malice."

Yet this motive made no impression in him. For, he said, no misfortune, or ill success that might attend his endeavour of defending himself, could expose him to more inconveniences than a treaty at this time desired by him, where he must be understood to be willing to yield to whatsoever they would require of him: and how modest they were like to be, might be judged by their nineteen propositions, which were tendered, when their power could not be reasonably understood to be like so much to exceed his majesty's, as at this time it was evident it did; and that, having now nothing to lose but his honour, he could be only excusable to the world, by using his industry to the last to oppose that torrent, which if it prevailed would overwhelm him." This composed courage and magnanimity of his majesty seemed too philosophical, and abstracted from the policy of self-preservation, to which men were passionately addicted: and that which was the king's greatest disadvantage, how many soever were of his mind, (as some few, and but few, there were,) no man durst publicly avow that he was so; a treaty for peace being so popular a thing, that whosoever opposed it would be sure to be, by general consent, a declared enemy to his country.

That which prevailed with his majesty very reasonably then (and indeed it proved equally advantageous to him afterwards) was, "that it was most probable" (and his whole fortune was to be submitted at best to probabilities) "that, out of their pride, and contempt of the king's weakness and want of power, the parliament would refuse to treat; which would be so unpopular a thing, that as his majesty would highly oblige his people by making the offer, so they would lose the hearts of them by rejecting it; which alone would raise an army for his majesty. That if they should embrace it, the king could not but be a gainer; for by the propositions which they should make to him, he would be able to state the quarrel so clearly, that it should be more demonstrable to the kingdom, than yet it was, that the war was, on his majesty's part, purely defensive; since he never had, and now would not deny any thing, which they could in reason or justice ask: that this very overture would necessarily produce some pause, and delay in their preparations, or motions of their armies; for some debate it must needs have; and during that time, men's minds would be in suspense; whereas his majesty should be so far from slackening his preparations, that he might be more vigorous in them, by hastening those levies, for which his commissions were out." For these reasons, and almost the concurrent desire and importunity of his council, the king was prevailed with to send the earls of Southampton and Dorset, sir John Colepepper, chancellor of his exchequer, and sir

William Udall, (whom his majesty gave leave under that pretence to intend the business of his own fortune,) to the two houses with this message, which was sent the third day after his standard was set up.

"We have, with unspeakable grief of heart, long beheld the distractions of this our kingdom. Our very soul is full of anguish, until we may find some remedy to prevent the miseries which are ready to overwhelm this whole nation by a civil war. And though all our endeavours, tending to the composing of those unhappy differences betwixt us and our two houses of parliament, (though pursued by us with all zeal and sincerity,) have been hitherto without that success we hoped for; yet such is our constant and earnest care to preserve the public peace, that we shall not be discouraged from using any expedient, which, by the blessing of the God of mercy, may lay a firm foundation of peace and happiness to all our good subjects. To this end, observing that many mistakes have arisen by the messages, petitions, and answers, betwixt us and our two houses of parliament, which happily may be prevented by some other way of treaty, wherein the matters in difference may be more clearly understood, and more freely transacted; we have thought fit to propound to you, that some fit persons may be by you enabled to treat with the like number to be authorized by us, in such a manner, and with such freedom of debate, as may best tend to that happy conclusion which all good men desire, the peace of the kingdom. Wherein, as we promise, in the word of a king, all safety and encouragement to such as shall be sent unto us, if you shall choose the place where we are, for the treaty, which we wholly leave to you, presuming the like care of the safety of those we shall employ, if you shall name another place; so we assure you, and all our good subjects, that, to the best of our understanding, nothing shall be therein wanting on our part, which may advance the true protestant religion, oppose popery and superstition, secure the law of the land, (upon which is built as well our just prerogative, as the propriety and liberty of the subject,) confirm all just power and privileges of parliament, and render us and our people truly happy by a good understanding betwixt us and our two houses of parliament. Bring with you as firm resolutions to do your duty; and let all our good people join with us in our prayers to Almighty God, for his blessing upon this work. If this proposition shall be rejected by you, we have done our duty so amply, that God will absolve us from the guilt of any of that blood which must be spilt; and what opinion soever other men may have of our power, we assure you nothing but our Christian and pious care to prevent the effusion of blood hath begot this motion; our provision of men, arms, and money, being such as may secure us from farther violence, till it please God to open the eyes of our people."

This message had the same reception his majesty believed it would have; and was indeed received with unheard of insolence and contempt. For the earl of Southampton, and sir John Colepepper, desiring to appear themselves before any notice should arrive of their coming, made such haste, that they were at Westminster in the morning shortly after

the houses met. The earl of Southampton went into the house of peers, where he was scarce sat down in his place, when, with great passion, he was called upon to withdraw; albeit he told them he had a message to them from the king, and there could be no exception to his lordship's sitting in the house upon their own grounds; he having had leave from the house to attend his majesty. However he was compelled to withdraw; and then they sent the gentleman usher of the house to him, to require his message; which, his lordship said, he was by the king's command to deliver himself, and refused therefore to send it, except the lords made an order, that he should not [deliver it himself]; which they did; and thereupon he sent it to them; which they no sooner received, than they sent him word, "that he should, at his peril, immediately depart the town, and that they would take care that their answer to the message should be sent to him." And so the earl of Southampton departed the town, reposing himself in better company at the house of a noble person seven or eight miles off. Whilst the earl had this skirmish with the lords, sir John Colepepper attended the commons, forbearing to go into the house without leave, because there had been an order, (which is mentioned before,) that all the members, who were not present at such a day, should not presume to sit there, till they had paid a hundred pounds, and given the house satisfaction in the cause of their absence. But he sent word to the speaker, "that he had a message from the king to them, and that he desired to deliver it in his place in the house." After some debate, (for there remained yet some, who thought it as unreasonable as irregular to deny a member of the house, against whom there had not been the least public objection, and a privy-counsellor who had been in all times used there with great reverence, leave to deliver a message from the king in his own place as a member,) it was absolutely resolved, "that he should not sit in the house, but that he should deliver his message at the bar, and immediately withdraw;" which he did accordingly.

And then the two houses met at a conference, and read the king's message with great superciliousness; and within two days, with less difficulty and opposition than can be believed, agreed upon their answer. The king's messengers, in the mean time, being of that quality, not receiving ordinary civility from any members of either house; they who were very willing to have paid it, not daring for their own safety to come near them; and the others looking upon them as servants to a master whom they had, and meant farther to oppress. Private conferences they had with some of the principal governors; from whom they received no other advice, but that, if the king had any care of himself or his posterity, he should immediately come to London, throw himself into the arms of his parliament, and comply in whatsoever they proposed. The answer which they returned to the king was this:

*The answer of the lords and commons to his majesty's message of the 25th of August, 1642.*

"May it please your majesty:

"The lords and commons, in parliament assembled, having received your majesty's message of the 25th of August, do with much grief resent the dangerous and distracted state of this king-

dom; which we have by all means endeavoured to prevent, both by our several advices and petitions to your majesty; which have been not only without success, but there hath followed that which no ill counsel in former times hath produced, or any age hath seen, namely, those several proclamations and declarations against both the houses of parliament, whereby their actions are declared treasonable, and their persons traitors. And thereupon your majesty hath set up your standard against them, whereby you have put the two houses of parliament, and, in them, this whole kingdom, out of your protection; so that until your majesty shall recall those proclamations and declarations, whereby the earl of Essex, and both houses of parliament, and their adherents, and assistants, and such as have obeyed and executed their commands and directions, according to their duties, are declared traitors or otherwise delinquents: and until the standard, set up in pursuance of the said proclamation, be taken down, your majesty hath put us into such a condition, that, whilst we so remain, we cannot, by the fundamental privileges of parliament, the public trust reposed in us, or with the general good and safety of this kingdom, give your majesty any other answer to this message."

When the king's messengers returned with this answer to Nottingham, all men saw to what they must trust; and the king believed, he should be no farther moved to make addresses to them. And yet all hopes of an army, or any ability to resist that violence, seemed so desperate, that he was privately advised by those, whom he trusted as much as any, and those whose affections were as entire to him as any men's, to give all other thoughts over, and instantly to make all imaginable haste to London, and to appear in the parliament house before they had any expectation of him. And they conceived there would be more likelihood for him to prevail that way, than by any army he was like to raise. And it must be solely imputed to his majesty's own magnanimity, that he took not that course. However he was contented to make so much farther use of their pride and passion, as to give them occasion, by another message, to publish more of it to the people; and therefore, within three days after the return of his messengers, he sent the lord Falkland, his principal secretary of state, with a reply to their answer in these words.

"We will not repeat, what means we have used to prevent the dangerous and distracted estate of the kingdom, nor how those means have been interpreted; because, being desirous to avoid the effusion of blood, we are willing to decline all memory of former bitterness, that might render our offer of a treaty less readily accepted. We never did declare, nor ever intended to declare, both our houses of parliament traitors, or set up our standard against them; and much less to put them and this kingdom out of our protection. We utterly profess against it before God, and the world; and, farther to remove all possible scruples, which may hinder the treaty so much desired by us, we hereby promise, so that a day be appointed by you for the revoking of your declarations against all persons as traitors, or otherwise, for assisting us; we shall, with all cheerfulness, upon the same day recall

"our proclamations and declarations, and take down our standard. In which treaty, we shall be ready to grant any thing, that shall be really for the good of our subjects: conjuring you to consider the bleeding condition of Ireland, and the dangerous condition of England, in as high a degree, as by these our offers we have declared ourself to do; and assuring you, that our chief desire, in this world, is to beget a good understanding and mutual confidence betwixt us and our two houses of parliament."

This message had no better effect or reception than the former; their principal officers being sent down since the last message to Northampton to put the army into a readiness to march. And now they required the earl of Essex himself to make haste thither, that no more time might be lost, sending by the lord Falkland, within two days, this answer to the king:

To the king's most excellent majesty;

*The humble answer and petition of the lords and commons assembled in parliament, unto the king's last message.*

"May it please your majesty:

"If we, the lords and commons in parliament assembled, should repeat all the ways we have taken, the endeavours we have used, and the expressions we have made unto your majesty, to prevent those distractions, and dangers, your majesty speaks of, we should too much enlarge this reply. Therefore, as we humbly, so shall we only let your majesty know, that we cannot recede from our former answer, for the reasons therein expressed. For that your majesty hath not taken down your standard, recalled your proclamations and declarations, whereby you have declared the actions of both houses of parliament to be treasonable, and their persons traitors; and you have published the same since your message of the 25th of August, by your late instructions sent to your commissioners of array; which standard being taken down, and the declarations, proclamations, and instructions recalled, if your majesty shall then, upon this our humble petition, leaving your forces, return unto your parliament, and receive their faithful advice, your majesty will find such expressions of our fidelities, and duties, as shall assure you, that your safety, honour, and greatness, can only be found in the affections of your people, and the sincere counsels of your parliament; whose constant and undiscouraged endeavours and consultations have passed through difficulties unheard of, only to secure your kingdoms from the violent mischiefs and dangers now ready to fall upon them, and every part of them; who deserve better of your majesty, and can never allow themselves (representing likewise the whole kingdom) to be balanced with those persons, whose desperate dispositions and counsels prevail still to interrupt all our endeavours for the relieving of bleeding Ireland; as we may fear our labours and vast expenses will be fruitless to that distressed kingdom. As your presence is thus humbly desired by us, so it is our hope your majesty will in your reason believe, there is no other way than this, to make your majesty's self happy, and your kingdom safe."

And lest this overture of a treaty might be a

means to allay and compose the distempers of the people, and that the hope and expectation of peace might not dishearten their party, in their preparations and contributions to the war, the same day they sent their last answer to the king, they published this declaration to the kingdom:

"Whereas his majesty, in a message received the fifth of September, requires that the parliament would revoke their declarations against such persons as have assisted his majesty in this unnatural war against his kingdom; it is this day ordered, and declared by the lords and commons, that the arms, which they have been forced to take up, and shall be forced to take up, for the preservation of the parliament, religion, the laws and liberties of the kingdom, shall not be laid down, until his majesty shall withdraw his protection from such persons as have been voted by both houses to be delinquents, or that shall by both houses be voted to be delinquents, and shall leave them to the justice of the parliament to be proceeded with according to their demerits; to the end that both this and succeeding generations may take warning, with what danger they incur the like heinous crimes: and also to the end that those great charges and damages, wherewith all the commonwealth hath been burdened in the premises, since his majesty's departure from the parliament, may be borne by the delinquents, and other malignant and disaffected persons: and that all his majesty's good and well affected subjects, who by loan of monies, or otherwise at their charge, have assisted the commonwealth, or shall in like manner hereafter assist the commonwealth in time of extreme danger, may be repaid all sums of money lent by them for those purposes, and be satisfied their charges so sustained, out of the estates of the said delinquents, and of the malignant and disaffected party in this kingdom."

This declaration did the king no harm; for besides that it was evident to all men, that the king had done whatsoever was in his power, or could be expected from him, for the prevention of a civil war, all persons of honour and quality plainly discerned, that they had no safety but in the preservation of the regal power, since their estates were already disposed of by them who could declare whom they would delinquents, and who would infallibly declare all such who had not concurred with them. And the advantage the king received by those overtures, and the pride, forwardness, and perverseness of the rebels, is not imaginable; his levies of men, and all other preparations for the war, being incredibly advanced from the time of his first message. Prince Rupert lay still with the horse at Leicester; and though he, and some of the principal officers with him, were discontented to that degree, upon the king's first message and desire of a treaty, as like not only to destroy all hopes of raising an army, but to sacrifice those who were raised, that they were not without some thoughts, at least discourses, of offering violence to the principal advisers of it, he now found his numbers increased, and better resolved by it; and from Yorkshire, Lincolnshire, and Staffordshire, came very good recruits of foot; so that his cannon and munition being likewise come up from York, within twenty days his numbers began to look towards an army; and



there was another air in all men's faces: yet Nottingham seemed not a good post for his majesty to stay longer at; and therefore, about the middle of September, the earl of Essex being then with his whole army at Northampton, his majesty marched from Nottingham to Derby; being not then resolved whither to bend his course, to Shrewsbury or Chester, not well knowing the temper of those towns, in both which the parliament party had been very active; but resolving to sit down near the borders of Wales, where the power of the parliament had been least prevalent, and where some regiments of foot were levying for his service. Before his leaving Nottingham, as a farewell to his hopes of a treaty, and to make the deeper sense and impression, in the hearts of the people, of those who had so pertinaciously rejected it, his majesty sent this message to the houses:

"Who have taken most ways, used most endeavours, and made most real expressions to prevent the present distractions and dangers, let all the world judge, as well by former passages, as by our two last messages, which have been so fruitless, that, though we have descended to desire and press it, not so much as a treaty can be obtained; unless we would denude ourself of all force to defend us from a visible strength marching against us; and admit those persons as traitors to us, who, according to their duty, their oaths of allegiance, and the law, have appeared in defence of us, their king and liege lord, (whom we are bound in conscience and honour to preserve), though we disclaimed all our proclamations, and declarations, and the erecting of our standard, as against our parliament. All we have now left in our power, is to express the deep sense we have of the public misery of this kingdom, in which is involved that of our distressed protestants of Ireland; and to apply ourself to our necessary defence, wherein we wholly rely upon the providence of God, the justice of our cause, and the affection of our good people; so far we are from putting them out of our protection. When you shall desire a treaty of us, we shall piously remember, whose blood is to be spilt in this quarrel, and cheerfully embrace it. And as no other reason induced us to leave our city of London, but that, with honour and safety we could not stay there; nor [to] raise any force, but for the necessary defence of our person and the law, against levies in opposition to both; so we shall suddenly and most willingly return to the one, and disband the other, as soon as those causes shall be removed. The God of heaven direct you, and in mercy divert those judgments, which hang over this nation; and so deal with us, and our posterity, as we desire the preservation and advancement of the true protestant religion; the law, and the liberty of the subject; the just rights of parliament, and the peace of the kingdom."

When the king came to Derby, he received clear information from the well affected party in Shrewsbury, that the town was at his devotion; and that the very rumour of his majesty's purpose of coming thither had driven away all those who were most inclined to sedition. And therefore, as well in regard of the strong and pleasant situation of it, (one side being defended by the Severn, the other having a secure passage into Wales, the con-

finies of Montgomeryshire extending very near the town,) as for the correspondence with Worcester, of which city he hoped well, and that, by his being at Shrewsbury, he should be as well able to secure Chester, as by carrying his whole train so far north; besides that the other might give some apprehension of his going into Ireland, which had been formerly mentioned, his majesty resolved for that town; and, after one day's stay at Derby, by easy marches he went thither, drawing his whole small forces to a rendezvous by Wellington, a day's march short of Shrewsbury; and that being the first time that they were together, his majesty then caused his military orders for the discipline and government of the army to be read at the head of each regiment; and then, which is not fit ever to be forgotten, putting himself in the middle, where he might be best heard, not much unlike the emperor Trajan, who, when he made Sura great marshal of the empire, gave him a sword, saying, "Receive this sword of me; and if I command as I ought, employ it in my defence; if I do otherwise, draw it against me, and take my life from me," his majesty made this speech to his soldiers:

"Gentlemen, you have heard those orders read: it is your part, in your several places, to observe them exactly. The time cannot be long before we come to action, therefore you have the more reason to be careful: and I must tell you, I shall be very severe in the punishing of those, of what condition soever, who transgress these instructions. I cannot suspect your courage and resolution; your conscience and your loyalty hath brought you hither, to fight for your religion, your king, and the laws of the land. You shall meet with no enemies but traitors, most of them Brownists, anabaptists, and atheists; such who desire to destroy both church and state, and who have already condemned you to ruin for being loyal to us. That you may see what use I mean to make of your valour, if it please God to bless it with success, I have thought fit to publish my resolution to you in a protestation; which when you have heard me make, you will believe you cannot fight in a better quarrel; in which I promise to live and die with you."

The protestation his majesty was then pleased to make was in these words:

"I do promise in the presence of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed protestant religion, established in the church of England; and, by the grace of God, in the same will live and die."

"I desire to govern by the known laws of the land, and that the liberty and property of the subject may be by them preserved with the same care, as my own just rights. And if it please God, by his blessing upon this army, raised for my necessary defence, to preserve me from this rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of parliament, and to govern by the known laws of the land to my utmost power; and particularly, to observe inviolably the laws consented to by me this parliament. In the mean while, if this time of war, and the great necessity and straits I am now driven to, beget any violation of those, I hope it shall be imputed



"by God and men to the authors of this war, and not to me; who have so earnestly laboured for the preservation of the peace of this kingdom.

"When I willingly fail in these particulars, I will expect no aid or relief from any man, or protection from heaven. But in this resolution, I hope for the cheerful assistance of all good men, and am confident of God's blessing."

This protestation, and the manner and solemnity of making it, gave not more life and encouragement to the little army, than it did comfort and satisfaction to the gentry and inhabitants of those parts; into whom the parliament had infused, that, if his majesty prevailed by force, he would, with the same power, abolish all those good laws, which had been made this parliament; so that they looked upon this protestation, as a more ample security for their enjoying the benefit of those acts, than the royal assent he had before given. And a more general and passionate expression of affections cannot be imagined, than he received by the people of those counties of Derby, Stafford, and Shropshire, as he passed; or a better reception, than he found at Shrewsbury; into which town he entered on Tuesday the 20th of September.

It will be, and was then, wondered at, that since the parliament had a full and well formed army, before the king had one full regiment, and the earl of Essex was himself come to Northampton, some days before his majesty went from Nottingham, his lordship neither disquieted the king whilst he stayed there, nor gave him any disturbance in his march to Shrewsbury; which if he had done, he might either have taken him prisoner, or so dispersed his small power, that it would never have been possible for him to have gotten an army together. But as the earl had not yet received his instructions, so they, upon whom he depended, avoided that expedition out of mere pride, and contempt of the king's forces; and upon a presumption, that it would not be possible for him to raise such a power, as would be able to look their army in the face; but that, when he had in vain tried all other ways, and those, who not only followed him upon their own charges, but supported those who were not able to bear their own, (for his army was maintained and paid by the nobility and gentry, who served likewise in their own persons,) were grown weary and unable longer to bear that burden, his majesty would be forced to put himself into their arms for protection and subsistence; and such a victory without blood had crowned all their designs. And if their army, which they pretended to raise only for their defence, and for the safety of the king's person, had been able to prevent the king's raising any; or if the king, in that melancholic conjuncture at Nottingham, had returned to Whitehall, he had justified all their proceedings, and could never after have refused to yield to whatsoever they proposed.

And it is most certain, that the common soldiers of the army were generally persuaded, that they should never be brought to fight; but that the king was in truth little better than imprisoned by evil counsellors, malignants, delinquents, and cavaliers, (the terms applied to his whole party,) and would gladly come to his parliament, if he could break from that company; which he would un-

doubtedly do, if their army came once to such a distance, that his majesty might make an escape to them. And in this kind of discourse they were so sottish, that they were persuaded, that those persons, of whose piety, honour, and integrity, they had received heretofore the greatest testimony, were now turned papists; and that the small army, and forces the king had, consisted of no other than papists. Inasmuch as truly those of the king's party, who promised themselves any support, but from the comfort of their own consciences, or relied upon any other means than from God Almighty, could hardly have made their expectations appear reasonable; for they were in truth possessed of the whole kingdom.

Portsmouth, the strongest and best fortified town then in the kingdom, was surrendered to them; colonel Goring, about the beginning of September, though he had seemed to be so long resolved, and prepared to expect a siege, and had been supplied with monies according to his own proposal, was brought so low, that he gave it up, only for liberty to transport himself beyond seas, and for his officers to repair to the king. And it were to be wished that there might be no more occasion to mention him hereafter, after this repeated treachery; and that his incomparable dexterity and sagacity had not prevailed so far over those, who had been so often deceived by him, as to make it absolutely necessary to speak at large of him, more than once, before this discourse comes to an end.

The marquis of Hertford, though he had so much discredited the earl of Bedford's soldiery, and disheartened his great army, that the earl of Bedford (after lying in the fields four or five nights within less than cannon shot of the castle and town, and after having refused to fight a duel with the marquis, to which he provoked him by a challenge) sent sir John Norcot, under pretence of a treaty and the godly care to avoid the effusion of Christian blood, in plain English to desire "that he might fairly and peaceably draw off his forces, and march away;" the which, how reasonable a request soever it was, the marquis refused; sending them word, "that as they came thither upon their own counsels, so they should get off as they could;" and at last they did draw off, and march above a dozen miles for repose; leaving the marquis, for some weeks, undisturbed at Sherborne: yet when he heard of the loss of Portsmouth, the relief whereof was his principal business, and so that those forces would probably be added to the earl of Bedford, and by their success give much courage to his bashful army, and that a good regiment of horse, which he expected, (for sir John Byron had sent him word from Oxford, that he would march towards him,) was retired to the king; and that the committees were now so busy in the several counties, that the people in all places declared for the parliament; and more particularly some strong and populous towns in Somersetshire; as Taunton, Wellington, and Dunstar-Castle; by reason whereof it would not be possible for him to increase his strength; he resolved to leave Sherborne, where his stay could no way advance the king's service, and to try all ways to get to his majesty. But when he came to Minhead, a port-town, from whence he made no doubt he should be able to transport himself and his company into Wales, he found the people both of

the town and county so disaffected, that all the boats, of which there used always to be great store, by reason of the trade for cattle and corn with Wales, were industriously sent away, save only two; so that the earl of Bedford having taken new heart, and being within four miles with his army, his lordship, with his small cannon and few foot, with the lord Pawlet, lord Seymour, and some gentlemen of Somersetshire, transported himself into Glamorganshire; leaving sir Ralph Hopton, sir John Berkley, Mr. Digby, and some other officers with their horse, (consisting of about one hundred and twenty,) to march into Cornwall, in hope to find that county better prepared for their reception.

On the other hand, the earl of Bedford, thinking those few fugitives not worth his farther care, and that they would be easily apprehended by the committee of the militia, which was very powerful in Devon and Cornwall, contented himself with having driven away the marquis, and so expelled all hope of raising an army for the king in the west; and retired with his forces to the earl of Essex, as sir William Waller had done from Portsmouth; so that as it was not expected, that the forces about his majesty could be able to defend him against so puissant an army, so it was not imaginable that he could receive any addition of strength from any other parts. For wherever they found any person of quality inclined to the king, or but disinclined to them, they immediately seized upon his person, and sent him in great triumph to the parliament; who committed him to prison, with all circumstances of cruelty and inhumanity.

Thus they took prisoner the lord Mountague of Boughton, at his house in Northamptonshire, a person of great reverence, being above fourscore years of age, and of unblemished reputation, for declaring himself unsatisfied with their disobedient and undutiful proceedings against the king, and more expressly against their ordinance for the militia; and notwithstanding that he had a brother of the house of peers, the lord privy seal, and a nephew, the lord Kimbolton, who had as full a power in that council as any man, and a son in the house of commons very unlike his father; his lordship was committed to the Tower a close prisoner; and, though he was afterwards remitted to more air, he continued a prisoner to his death.

Thus they took prisoner in Oxfordshire the earl of Berkshire, and three or four principal gentlemen of that county; and committed them to the Tower, for no other reason but wishing well to the king; for they never appeared in the least action in his service. And thus they took prisoner the earl of Bath in Devonshire, who neither had, or ever meant to do the king the least service; but only out of the morosity of his own nature, had before, in the house, expressed himself not of their mind; and carried him, with many other gentlemen of Devon and Somerset, with a strong guard of horse, to London; where, after they had been exposed to the rudeness and reproach of the common people, who called them traitors and rebels to the parliament, and pursued them with such usage as they use to the most infamous malefactors, they were, without ever being examined, or charged with any particular crime, committed to several prisons; so that not only all the prisons about London were quickly filled with persons of honour, and great reputation for sobriety and integrity to their coun-

ties, but new prisons were made for their reception; and, which was a new and barbarous invention, very many persons of very good quality, both of the clergy and laity, were committed to prison on board the ships in the river of Thames; where they were kept under decks, and no friend suffered to come to them, by which many lost their lives. And that the loss of their liberty might not be all their punishment, it was the usual course, and very few escaped it, after any man was committed as a notorious malignant, (which was the brand,) that his estate and goods were seized or plundered by an order from the house of commons, or some committee, or the soldiers, who in their march took the goods of all catholics and eminent malignants, as lawful prize; or by the fury and license of the common people, who were in all places grown to that barbarity and rage against the nobility and gentry, (under the style of cavaliers,) that it was not safe for any to live at their houses, who were taken notice of as no votaries to the parliament.

So the common people (no doubt by the advice of their superiors) in Essex on a sudden beset the house of sir John Lucas, one of the best gentlemen of that county, and of the most eminent affection to the king, being a gentleman of the privy chamber to the prince of Wales; and, upon pretence that he was going to the king, possessed themselves of all his horses and arms, seized upon his person, and used him with all possible indignities, not without some threats to murder him: and when the mayor of Colchester, whither he was brought, with more humanity than the rest, offered to keep him prisoner in his own house, till the pleasure of the parliament should be farther known, they compelled him, or he was willing to be compelled, to send him to the common gaol; where he remained, glad of that security, till the house of commons removed him to another prison, (without ever charging him with any crime,) having sent all his horses to the earl of Essex, to be used in the service of that army.

At the same time the same rabble entered the house of the countess of Rivers, near Colchester; for no other ground, than that she was a papist; and in few hours dis furnished it of all the goods, which had been many years with great curiosity providing, and were not of less value than forty thousand pounds sterling; the countess herself hardly escaping, after great insolence had been used to her person: and she could never receive any reparation from the parliament; so that these and many other instances of the same kind in London and the parts adjacent, gave sufficient evidence to all men how little else they were to keep, who meant to preserve their allegiance and integrity in the full vigour.

I must not forget, though it cannot be remembered without much horror, that this strange wild-fire among the people was not so much and so furiously kindled by the breath of the parliament, as of the clergy, who both administered fuel, and blowed the coals in the houses too. These men having crept into, and at last driven all learned and orthodox men from, the pulpits, had, as is before remembered, from the beginning of this parliament, under the notion of reformation and extirpating of popery, infused seditious inclinations into the hearts of men against the present government of the church, with many libellous invectives

against the state too. But since the raising an army, and rejecting the king's last overture of a treaty, they contained themselves within no bounds; and as freely and without control inveighed against the person of the king, as they had before against the worst malignant; profanely and blasphemously applying whatsoever had been spoken and declared by God himself, or the prophets, against the most wicked and impious kings, to incense and stir up the people against their most gracious sovereign.

There are monuments enough in the seditious sermons at that time printed, and in the memories of men, of others not printed, of such wresting and perverting of scripture to the odious purposes of the preacher, that pious men will not look over without trembling. One takes his text out of Moses's words in the 32d chapter of Exodus, and the 20th verse; *Consecrate yourselves to-day to the Lord, even every man upon his son, and upon his brother, that he may bestow upon you a blessing this day*: and from thence incites his auditory to the utmost prosecution of those, under what relation soever of blood, neighbourhood, dependence, who concurred not in the reformation proposed by the parliament. Another makes as bold with David's words, in the 1st Chron. chap. xxii. verse 16. *Arise therefore, and be doing*: and from thence assures them, it was not enough to wish well to the parliament; if they brought not their purse, as well as their prayers, and their hands, as well as their hearts, to the assistance of it, the duty in the text was not performed. There [were] more than Mr. Marshall, who from the 23d verse of the 5th chapter of Judges, *Curse ye Meroz, said he angel of the Lord; curse ye bitterly the inhabitants thereof, because they came not to the help of the Lord, to the help of the Lord against the mighty*: presumed to inveigh against, and in plain terms to pronounce God's own curse against all those, who came not, with their utmost power and strength, to destroy and root out all the malignants, who in any degree opposed the parliament.

There was one, who from the 48th chapter of the prophet Jeremiah, and the 10th verse, *Cursed be he that keepeth back his sword from blood*, reproved those who gave any quarter to the king's soldiers. And another out of the 5th verse of the 25th chapter of Proverbs, *Take away the wicked from before the king, and his throne shall be established in righteousness*, made it no less a case of conscience by force to remove the evil counsellors from the king, (with bold intimation what might be done to the king himself, if he would not suffer them to be removed,) than to perform any Christian duty that is enjoined. It would fill a volume to insert all the impious madness of this kind, so that the complaint of the prophet Ezekiel might most truly and seasonably have been applied; *There is a conspiracy of her prophets in the midst thereof, like a roaring lion ravening the prey; they have devoured souls; they have taken the treasure and precious things; they have made her many widows in the midst thereof.* Ezek. xxii. 25.

It was the complaint of Erasmus of the clergy in his time, that when princes were inclinable to wars, *alius e sacro suggesto promittit omnium admissorum condonationem, alius promittit certam victoriam, prophetarum voces ad rem impiam detorquens.* *Tam bellaces conciones audivimus*, says he. And indeed no good Christian can, without horror, think of

those ministers of the church, who, by their function being messengers of peace, were the only trumpets of war, and incendiaries towards rebellion. How much more Christian was that Athenian nun in Plutarch, and how shall she rise up in judgment against those men, who, when Alcibiades was condemned by the public justice of the state, and a decree made that all the religious priests and women should ban and curse him, stoutly refused to perform that office; answering, "that she was "professed religious, to *pray* and to *bless*, not to "curse and to *ban*." And if the person and the place can improve and aggravate the offence, (as without doubt it doth, both before God and man,) methinks the preaching treason and rebellion out of the pulpits should be worse than the advancing it in the market, as much as poisoning a man at the communion would be worse than murdering him at a tavern. And it may be, in that catalogue of sins, which the zeal of some men hath thought to be the sin against the Holy Ghost, there may not any one be more reasonably thought to be such, than a minister of Christ's turning rebel against his prince, (which is a most notorious apostasy against his order,) and his preaching rebellion to the people, as the doctrine of Christ; which, adding blasphemy and pertinacy to his apostasy, hath all the marks by which good men are taught to avoid that sin against the Holy Ghost.

Within three or four days after the king's remove from Nottingham, the earl of Essex, with his whole army, removed from Northampton, and marched towards Worcester; of which his majesty had no sooner intelligence, than he sent prince Rupert, with the greatest part of the horse, on the other side of the Severn, towards that city; as well to observe the motion of the enemy, as to give all assistance to that place, which had declared good affections to him; at least to countenance and secure the retreat of those gentlemen, who were there raising forces for the king; but especially to join with sir John Byron, whom his majesty had sent, in the end of August, to Oxford, to convey some money, which had been secretly brought from London thither, to his majesty. And he, after some small disasters in his march, by the insurrection of the country people, who were encouraged by the agents for the parliament, and seconded by the officers of the militia, came safe with his charge to Worcester; where he had been very few hours, when a strong party of horse and dragoons, being sent by the earl of Essex, under the command of Nathaniel Fiennes, son to the lord Say, came to surprise the town; which was open enough to have been entered in many places, though in some it had an old decayed wall; and, at the most usual and frequented entrances into the city, weak and rotten gates to be shut, but without either lock or bolt.

Yet this doughty commander, coming early in the morning, when the small guard which had watched, conceiving all to be secure, were gone to rest, and being within musket shot of the gate before he was discovered, finding that weak door shut, or rather closed against him, and not that quick appearance of a party within the town, as he promised himself, without doing any harm, retired in great disorder, and with so much haste, that the wearied horse, sent out presently to attend him, could not overtake any of his train; so that when

prince Rupert came thither, they did not conceive any considerable party of the enemy to be near. However his highness resolved to retire from thence, as soon as he should receive perfect intelligence of the motion of the enemy, or where he certainly was, when on the sudden, being reposing himself on the ground with prince Maurice his brother, the lord Digby, and the principal officers, in the field before the town, some of his wearied troops (for they had had a long march) being by, but the rest and most of the officers being in the town, he espied a fair body of horse, consisting of near five hundred, marching in very good order up a lane within musket shot of him. In this confusion, they had scarce time to get upon their horses, and none to consult of what was to be done, or to put themselves into their several places of command. And, it may be, it was well they had not; for if all those officers had been in the heads of their several troops, it is not impossible it might have been worse. But the prince instantly declaring, "that he would charge;" his brother, the lord Digby, commissary general Wilmot, sir John Byron, sir Lewis Dives, and all those officers and gentlemen, whose troops were not present or ready, put themselves next the prince; the other wearied troops coming in order after them.

And in this manner the prince charged them, as soon as they came out of the lane; and being seconded by this handful of good men, though the rebels being gallantly led by colonel Sandys, (a gentleman of Kent, and the son of a worthy father,) and completely armed both for offence and defence, stood well; yet in a short time, many of their best men being killed, and colonel Sandys himself falling with his hurts, the whole body was routed, fled, and was pursued by the conquerors for the space of above a mile. The number of the slain were not many, not above forty or fifty, and those most officers; for their arms were so good, that in the charge they were not to be easily killed, and in the chase the goodness of their horse made it impossible. Colonel Sandys, who died shortly after of his wounds, captain Wingate, who was the more known, by being a member of the house of commons, and taken notice of for having in that charge behaved himself stoutly, and two or three Scottish officers, were taken prisoners. Of the king's party none of name was lost: commissary general Wilmot hurt with a sword in the side, and sir Lewis Dives in the shoulder, and two or three other officers of inferior note; none miscarrying of their wounds, which was the more strange for that, by reason they expected not an encounter, there was not, on the prince's side, a piece of armour worn that day, and but few pistols; so that most of the hurt that was done was by the sword. Six or seven cornets [of the enemy's] were taken, and many good horses, and some arms; for they who run away made themselves as light as they could.

This rencounter proved of unspeakable advantage and benefit to the king. For it being the first action his horse had been brought to, and that party of the enemy being the most picked and choice men, it gave his troops great courage, and rendered the name of prince Rupert very terrible, and exceedingly appalled the adversary; insomuch as they had not, in a long time after, any confidence in their horse, and their very numbers were

much lessened by it. For that whole party being routed, and the chief officers of name and reputation either killed or taken, though the number lost upon the place was not considerable, there were very many more who never returned to the service; and, which was worse, for their own excuse, in all places, talked aloud of the incredible and irresistible courage of prince Rupert, and the king's horse. So that, from this time, the parliament begun to be apprehensive, that the business would not be as easily ended, as it was begun; and that the king would not be brought back to his parliament with their bare votes. Yet how faintly soever the private pulses beat, (for no question many, who had made greatest noise, wished they were again to choose their side,) there was so far from any visible abatement of their mettle, that to weigh down any possible supposition that they might be inclined, or drawn to treat with the king, or that they had any apprehension that the people would be less firm, and constant to them, they proceeded to bolder acts to evince both, than they had yet done.

For to the first, to shew how secure they were against resentment from his allies, as well as against his majesty's own power, they caused the Capuchin friars, who, by the articles of marriage, were to have a safe reception and entertainment in the queen's family, and had, by her majesty's care, and at her charge, a small, but a convenient habitation, by her own chapel, in her own house, in the Strand, and had continued there, without disturbance, from the time of the marriage, after many insolences and indignities offered to them by the rude multitude, even within those gates of her own house, to be taken from thence, and to be sent over into France, with protestation, "that if they were found again in England, they should be proceeded against as traitors:" and this in the face of the French ambassador, who notwithstanding withdrew not from them his courtship and application.

Then, that the king might know how little they dreaded his forces, they sent down their instructions to the earl of Essex their general, who had long expected them; whereby, among other things of form for the better discipline of the army, "they required him to march, with such forces as he thought fit, towards the army raised, in his majesty's name, against the parliament and the kingdom; and with them, or any part of them, to fight at such time and place as he should judge most to conduce to the peace and safety of the kingdom: and that he should use his utmost endeavour by battle, or otherwise, to rescue his majesty's person, and the persons of the prince, and duke of York, out of the hands of those desperate persons, who were then about them. They directed him to take an opportunity, in some safe and honourable way, to cause the petition of both houses of parliament, then sent to him, to be presented to his majesty; and if his majesty should thereupon please to withdraw himself from the forces then about him, and to resort to the parliament, his lordship should cause his majesty's forces to disband, and should serve and defend his majesty with a sufficient strength in his return. They required his lordship to publish and declare, that if any who had been so seduced, by the false aspersions cast upon the proceedings of the parliament, as to

"assist the king in acting of those dangerous counsels, should willingly, within ten days after such publication in the army, return to their duty, not doing any hostile act within the time limited, and join themselves with the parliament in defence of religion, his majesty's person, the liberties, and law of the kingdom, and privileges of parliament, with their persons, and estates, as the members of both houses, and the rest of the kingdom, have done, that the lords and commons would be ready, upon their submission, to receive such persons in such manner, as they should have cause to acknowledge they had been used with clemency and favour; provided that that favour should not extend to admit any man into either house of parliament, who stood suspended, without giving satisfaction to the house whereof he should be a member; and except all persons who stood impeached, or particularly voted in either house of parliament for any delinquency whatsoever; excepting likewise such adherents of those who stood impeached in parliament of treason, as had been eminent persons, and chief actors in those treasons." And lest those clauses of exception (which no doubt comprehended all the king's party, and if not, they were still to be judges of their own clemency and favour, which was all was promised to the humblest penitent) might invite those, whom they had no mind to receive on any terms, they vouchsafed a "particular exception of the earl of Bristol, the earl of Cumberland, the earl of Newcastle, the earl of Rivers, the duke of Richmond, the earl of Carnarvon, the lord Newark, and the lord viscount Falkland, principal secretary of state to his majesty, Mr. Secretary Nicholas, Mr. Endymion Porter, and Mr. Edward Hyde;" against not one of whom was there a charge depending of any crime, and against very few of them so much as a vote, which was no great matter of delinquency.

It will be here necessary to insert the petition, directed to be presented in some safe and honourable way to his majesty; the rather for that the same was, upon the reasons hereafter mentioned, never presented; which was afterwards objected to his majesty as a rejection of peace on his part, when they desired it. The petition was in these words:

"We, your majesty's loyal subjects, the lords and commons in parliament, cannot, without great grief, and tenderness of compassion, behold the pressing miseries, the imminent dangers, and the devouring calamities, which extremely threaten, and have partly seized upon, both your kingdoms of England and Ireland, by the practices of a party prevailing with your majesty; who, by many wicked plots and conspiracies, have attempted the alteration of the true religion, and the ancient government of this kingdom, and the introducing of popish idolatry and superstition in the church, and tyranny and confusion in the state; and, for the compassing thereof, have long corrupted your majesty's counsels, abused your power, and, by sudden and untimely dissolving of former parliaments, have often hindered the reformation and prevention of those mischiefs; and being now disabled to avoid the endeavours of this parliament, by any such means, have traitorously attempted to overawe the same by force; and, in prosecution of their wicked designs, have excited,

"encouraged, and fostered an unnatural rebellion in Ireland; by which, in a most cruel and outrageous manner, many thousands of your majesty's subjects there have been destroyed; and, by false slanders upon your parliament, and malicious and unjust accusations, have endeavoured to begin the like massacre here; and being, through God's blessing, therein disappointed, have, as the most mischievous and bloody design of all, drawn your majesty to make war against your parliament, and good subjects of this kingdom, leading in your person an army against them, as if you intended, by conquest, to establish an absolute and unlimited power over them; and by your power, and the countenance of your presence, you have ransacked, spoiled, imprisoned, and murdered divers of your people; and, for their better assistance in their wicked designs, do seek to bring over the rebels of Ireland, and other forces, beyond the seas, to join with them.

"And we, finding ourselves utterly deprived of your majesty's protection, and the authors, counsellors, and abettors of these mischiefs in greatest power and favour with your majesty, and defended by you against the justice and authority of your high court of parliament; whereby they are grown to that height and insolence, as to manifest their rage and malice against those of the nobility, and others, who are any whit inclinable to peace, not without great appearance of danger to your own royal person, if you shall not in all things concur with their wicked and traitorous courses; have, for the just and necessary defence of the protestant religion, of your majesty's person, crown, and dignity, of the laws and liberties of the kingdom, and the privileges and power of parliament, taken up arms, and appointed and authorized Robert earl of Essex to be captain general of all the forces by us raised, and to lead and conduct the same against these rebels and traitors, and them to subdue, and bring to condign punishment; and do most humbly beseech your majesty to withdraw your royal presence and countenance from those wicked persons; and, if they shall stand out in defence of their rebellious and unlawful attempts, that your majesty will leave them to be suppressed by that power, which we have sent against them; and that your majesty will not mix your own dangers with theirs, but in peace and safety, without your forces, forthwith return to your parliament; and, by their faithful counsel and advice, compose the present distempers and confusions abounding in both your kingdoms; and provide for the security and honour of yourself and your royal posterity, and the prosperous estate of all your subjects; wherein if your majesty please to yield to our most humble and earnest desires, we do, in the presence of Almighty God, profess, that we will receive your majesty with all honour, yield you all due obedience and subjection, and faithfully endeavour to secure your person and estate from all dangers; and, to the uttermost of our power, to procure and establish to yourself, and to your people, all the blessings of a glorious and happy reign."

Then, that it might appear they were nothing jealous or apprehensive of the people's defection and revolt from them, whereas before they had made the general desire of the kingdom the ground and

argument for whatsoever they had done, and had only invited men to contribute freely what they thought fit to the charge in hand, without compelling any who were unwilling; they now took notice not only of those who opposed their proceedings, or privately dissuaded other men from concurring with them, but of those, who either out of fear, or covetousness, or both, had neglected really to contribute; and therefore they boldly published their votes, (which were laws to the people, or of much more authority,) "That all such persons, as should not contribute to the charge of the commonwealth, in that time of eminent necessity, should be disarmed and secured;" and that this vote might be the more terrible, they ordered, the same day, the mayor and sheriffs of London, "to search the houses, and seize the arms belonging to some aldermen, and other principal substantial citizens of London," whom they named in their order; "for that it appeared by the report from their committee, that they had not contributed, as they ought, to the charge of the commonwealth."

And by this means the poorest and lowest of the people became informers against the richest and most substantial; and the result of searching the houses and seizing the arms was, the taking away plate, and things of the greatest value, and very frequently plundering whatsoever was worth the keeping. They farther appointed, "that the fines, rents, and profits of archbishops, bishops, deans, deans and chapters, and of all delinquents, who had taken up arms against the parliament, or had been active in the commission of array, should be sequestered for the use and benefit of the commonwealth." And that the king might not fare better than his adherents, they directed "all his revenue, arising out of rents, fines in courts of justice, composition for wards, and the like, and all other his revenue, should be brought into the several courts, and other places, where they ought to be paid in, and not issued forth, or paid forth, until farther order should be taken by both houses of parliament;" without so much as assigning him any part of his own, towards the support of his own person.

This stout invasion of the people's property, and compelling them to part with what was most precious to them, any part of their estates, was thought by many an unpolitic act, in the morning of their sovereignty, and that it would wonderfully have irreconciled their new subjects to them. But the conductors well understood, that their empire already depended more on the fear, than love of the people; and that as they could carry on the war only by having money enough to pay the soldiers, so, that whilst they had that, probably they should not want men to recruit their armies upon any misadventure.

It cannot be imagined, how great advantage the king received by the parliament's rejecting the king's messages for peace, and their manner in doing it. All men's mouths were opened against them, the messages and answers being read in all churches; they, who could not serve him in their persons, contrived ways to supply him with money. Some eminent governors in the universities gave him notice that all the colleges were very plentifully supplied with plate, which would amount to a good value, and lay useless in their treasuries, there being enough besides for their common use; and there was not the least doubt, but that when-

soever his majesty should think fit to require that treasure, it would all be sent to him. Of this the king had long thought, and, when he was at Nottingham, in that melancholic season, two gentlemen were despatched away to Oxford, and to Cambridge, (two to each,) with letters to the several vice-chancellors, that they should move the heads and principals of the several colleges and halls, that they would send their plate to the king; private advertisements being first sent to some confident persons to prepare and dispose those, without whose consent the service could not be performed.

This whole affair was transacted with so great secrecy and discretion, that the messengers returned from the two universities, in as short a time as such a journey could well be made; and brought with them all, or very near all, their plate, and a considerable sum of money, which was sent as a present to his majesty from several of the heads of colleges, out of their own particular stores; some scholars coming with it, and helping to procure horses and carts for the service; all which came safe to Nottingham, at the time when there appeared no more expectation of a treaty, and contributed much to raising the dejected spirits of the place. The plate was presently weighed out, and delivered to the several officers, who were intrusted to make levies of horse and foot, and who received it as money; the rest was carefully preserved to be carried with the king, when he should remove from thence; secret orders being sent to the officers of the mint, to be ready to come to his majesty as soon as he should require them; which he meant to do, as soon as he should find himself in a place convenient. There was now no more complaining or murmuring. Some gentlemen undertook to make levies upon their own credit and interest, and others sent money to the king upon their own inclinations.

There was a pleasant story, then much spoken of in the court, which administered some mirth. There were two great men who lived near Nottingham, both men of great fortunes and of great parsimony, and known to have much money lying by them, Pierrepont, earl of Kingston, and Leake, lord Dencourt. To the former the lord Capel was sent; to the latter, John Ashburnham of the bedchamber, and of entire confidence with his master; each of them with a letter, all written with the king's hand, to borrow of each ten or five thousand pounds. Capel was very civilly received by the earl, and entertained as well as the ill accommodations in his house, and his manner of living, would admit. He expressed, with wonderful civil expressions of duty, "the great trouble he sustained, in not being able to comply with his majesty's commands:" he said, "all men knew that he neither had, nor could have money, because he had every year, of ten or a dozen which were past, purchased a thousand pounds land a year; and therefore he could not be imagined to have any money lying by him, which he never loved to have. But, he said, he had a neighbour, who lived within few miles of him, the lord Dencourt, who was good for nothing, and lived like a hog, not allowing himself necessities, and who could not have so little as twenty thousand pounds in the scurvy house in which he lived;" and advised, "that he might be sent to, who could not deny the having of money;"

and concluded with great duty to the king, and detestation of the parliament, and as if he meant to consider farther of the thing, and to endeavour to get some money for him; which though he did not remember to send, his affections were good, and he was afterwards killed in the king's service.

Ashburnham got no more money, nor half so many good words. The lord Dencourt had so little correspondence with the court, that he had never heard his name; and when he had read the king's letter, he asked from whom it was; and when he told him, "that he saw it was from the king," he replied, "that he was not such a fool as to believe it." That he had received letters both from this "king and his father;" and hastily ran out of the room, and returned with half a dozen letters in his hand; saying, "that those were all the king's letters, and that they always begun with *Right trusty and well-beloved*, and the king's name was ever at the top; but this letter begun with *Dencourt*, and ended with *your loving friend C. R.*," which, he said, he was sure could not be the "king's hand." His other treatment was according to this, and, after an ill supper, he was shewed an indifferent bed; the lord telling him, "that he would confer more of the matter in the morning;" he having sent his servant with a letter to the lord Falkland, who was his wife's nephew, and who had scarce ever seen his uncle. The man came to Nottingham about midnight, and found my lord Falkland in his bed. The letter was to tell him, "that one Ashburnham was with him, who brought him a letter, which he said was from the king; but he knew that could not be; and therefore he desired to know, who this man was, whom he kept in his house till the messenger should return." In spite of the laughter, which could not be forbore, the lord Falkland made haste to inform him of the condition and quality of the person, and that the letter was writ with the king's own hand, which he seldom vouchsafed to do. And the messenger returning early the next morning, his lordship treated Mr. Ashburnham with so different a respect, that he, who knew nothing of the cause, believed that he should return with all the money that was desired. But it was not long before he was undeceived. The lord, with as cheerful a countenance as his could be, for he had a very unusual and unpleasant face, told him, "that though he had no money himself, but was in extreme want of it, he would tell him where he might have money enough; that he had a neighbour, who lived within four or five miles, the earl of Kingston, that never did good to any body, and loved nobody but himself, who had a world of money, and could furnish the king with as much as he had need of; and if he should deny that he had money when the king sent to him, he knew where he had one trunk full, and would discover it; and that he was so ill-beloved, and had so few friends, that nobody would care how the king used him." And this good counsel was all Mr. Ashburnham could make of him: and yet this wretched man was so far from wishing well to the parliament, that when they had prevailed, and were possessed of the whole kingdom, as well as of Nottinghamshire, he would not give them one penny; nor compound for his delinquency, as they made the having lived in the king's quarters to be; but suffered his whole estate to be sequestered, and lived in a very miser-

able fashion, only by what he could ravish from his tenants; who, though they paid their rents to the parliament, were forced by his rage and threats to part with so much as kept him, till he died, in that condition he chose to live in: his conscience being powerful enough to deny himself, though it could not dispose him to grant to the king. And thus the two messengers returned to the king, so near the same time, that he who came first had not given his account to the king, before the other entered into his presence.

The same day, Mr. Sacheverel, who was a gentleman, and known to be very rich, being pressed to lend the king five hundred pounds, sent him a present of one hundred pieces in gold; "which," he said, "he had procured with great difficulty;" and protested, with many execrable imprecations, "that he had never in his life seen five hundred pounds of his own together;" when, within one month after the king's departure, the parliament troops, which borrowed in another style, took five thousand pounds from him, which was lodged with him, in the chamber in which he lay. Which is therefore mentioned in this place, that upon this occasion it may be seen, that the unthrifty retention of their money, which possessed the spirits of those, who did really wish the king all the success he wished for himself, was the unhappy promotion of all his misfortunes: and if they had, in the beginning, but lent the king the fifth part of what, after infinite losses, they found necessary to sacrifice to his enemies, in the conclusion, to preserve themselves from total ruin, his majesty had been able, with God's blessing, to have preserved them, and to have destroyed all his enemies.

The news of the important victory before Worcester found the king at Chester, whither his majesty thought necessary to make a journey himself, as soon as he came to Shrewsbury, both to assure that city to his service, which was the key to Ireland, and to countenance the lord Strange (who, by the death of his father, became within few days earl of Derby) against some opposition he met with, on the behalf of the parliament. Here Crane, sent by prince Rupert, gave his majesty an account of that action; and presented him with the ensigns, which had been taken; and informed him of the earl of Essex's being in Worcester; which made the king to return sooner to Shrewsbury than he intended, and before the earl of Derby was possessed of that power, which a little longer stay would have given him.

Prince Rupert the same night; after his victory, finding the gross of the rebels' army to be within five or six miles, against which that city was in no degree tenable, though all the king's foot had been there, retired from Worcester on the Welsh side of the river, without any disturbance, and with all his prisoners, (colonel Sandys only excepted, whom he charitably left to die of his wounds there,) into his quarters near Shrewsbury; the earl of Essex being so much startled with his late defeat, that he advanced not in two days after; and then being surely informed, that he should find no resistance, he entered with his army into Worcester; using great severity to those citizens, who had been eminently inclined to the king's service, and sending the principal of them prisoners to London.

Upon the king's coming to Shrewsbury, there was a very great conflux of the gentry of that and the neighbouring [counties,] which were generally



well affected, and made great professions of duty to his majesty : some of them undertook to make levies of horse and foot, and performed it at their own charge. The town was very commodious in all respects, strong in its situation ; and in respect of its neighbourhood to North Wales, and the use of the Severn, yielded excellent provisions of all kinds ; so that both court and army were very well accommodated, only the incurable disease of want of money could not be assuaged in either. Yet whilst they sat still, it was not very sensible, much less importunate. The soldiers behaved themselves orderly, and the people were not inclined or provoked to complain of their new guests ; and the remainder of the plate, which was brought from the universities, together with the small presents in money, which were made to the king by many particular persons, supplied the present necessary expenses very conveniently. But it was easily discerned, that, when the army should move, which the king resolved it should do with all possible expedition, the necessity of money would be very great, and the train of artillery, which is commonly a sponge that can never be filled or satisfied, was destitute of all things which were necessary for motion. Nor was there any hope that it could march, till a good sum of money were assigned to it ; some carriage-horses, and waggons, which were prepared for the service of Ireland, and lay ready at Chester, to be transported with the earl of Leicester, lieutenant of that kingdom, were brought to Shrewsbury, by his majesty's order, for his own train : and the earl's passionate labouring to prevent or remedy that application, with some other reasons, hindered the earl himself from pursuing that journey ; and, in the end, deprived him of that province. But this seasonable addition to the train increased the necessity of money, there being more use of it thereby.

Two expedients were found to make such a competent provision for all wants, that they were at last broken through. Some person of that inclination had insinuated to the king, that, " if the catholics, which that and the adjacent counties were well inhabited by, were secretly treated with, a considerable sum of money might be raised among them ; but it must be carried with great privacy, that no notice might be taken of it, the parliament having declared so great animosity against them ;" nor did it in that conjuncture concern the king less that it should be very secret, to avoid the scandal of a close conjunction with the papists, which was every day imputed to him. Upon many consultations how, and in what method, to carry on this design, the king was informed, " that if he would depute a person, much trusted by him, [Mr. Hyde,] to that service, the Roman catholics would trust him, and assign one or two of their body to confer with him, and by this means the work might be carried on." Hereupon the king sent for that person, and told him this whole matter, as it is here set down, and required him to consult with such a person, whom he would send to him the next morning. He was surprised with the information, that that classis of men had made choice of him for their trust, for which he could imagine no reason, but that he had been often of counsel with some persons of quality of that profession, who yet knew very well, that he was in no degree inclined to their persuasion ; he submitted to the king's pleasure, and the next

morning a person of quality, and very much trusted by all that party, came to him to confer upon that subject ; and shewed a list of the names of all the gentlemen of quality and fortune of that religion, and who were all convict recusants, and who lived within those counties of Shropshire and Stafford ; who appeared to be a good number of very valuable men, on whose behalf he had only authority to conclude, though he believed that the method, they agreed on there, would be submitted to, and confirmed by that people in all other places. He said, " they would by no means hearken to any motion for the loan of money, for which they had paid so dear, upon their serving the king in that manner, in his first expedition against the Scots." It was in the end agreed upon, that the king should write to every one of them to pay him an advance of two or three years of such rent, as they were every year obliged to pay to him, upon the composition they had made with him for their estates ; which would amount to a considerable sum of money ; which letters were accordingly writ, and within ten or twelve days between four and five thousand pounds were returned to his majesty ; which was a seasonable supply for his affairs.

At his return to Shrewsbury, the king found as much done towards his march, as he expected. And then the other expedient (which was hinted before) for money offered itself. There was a gentleman of a very good extraction, and of the best estate of any gentleman of that country, one sir Richard Newport, who lived within four or five miles of Shrewsbury, and who was looked upon as a very prudent man, and had a very powerful influence upon that people, and was of undoubted affections and loyalty to the king, and to the government both in church and state : his eldest son, Francis Newport, was a young gentleman of great expectation, and of excellent parts, a member of the house of commons, who had behaved himself there very well. This gentleman intimated to a friend of his, " that, if his father might be made a baron, he did believe he might be prevailed with to present his majesty with a good sum of money." It was proposed to the king, who had no mind to embrace the proposition, his majesty taking occasion often to speak against " making merchandise of honour ; how much the crown suffered at present by the license of that kind, which had been used during the favour of the duke of Buckingham ; and that he had not taken a firmer resolution against many things, than against this particular expedient for the raising money." However, after he returned from Chester, and found by the increase of his levies, and the good disposition all things were in, that he might in a short time be able to march, and in so good a condition, that he should rather seek the rebels, than decline meeting with them, if the indispensable want of money did not make his motion impossible ; the merit and ability of the person, and the fair expectation from his posterity, he having two sons, both very hopeful, prevailed with his majesty to resume the same overture ; and in few days it was perfected, and sir Ri. Newport was made baron Newport of Ercall ; who presented the sum of six thousand pounds to his majesty ; whereupon all preparations for the army were prosecuted with effect.

As soon as the king came to Shrewsbury, he



had despatched his letters and agents into Wales, Cheshire, and Lancashire, to quicken the levies of men which were making there, and finding that the parliament had been very solicitous and active in those counties of Cheshire and Lancashire, and that many of the gentry of those populous shires were deeply engaged in their service, and the loyal party so much depressed, that the house of commons had sent up an impeachment of high treason against the lord Strange, who being son and heir apparent of the earl of Derby, and possessed of all his father's fortune in present, was then looked upon as of absolute power over that people, and accused him, that he had, with an intent and purpose to subvert the fundamental laws and government of the kingdom of England, and the rights and liberties, and the very being of parliaments, and to set sedition between the king and his people at Manchester of Lancaster, and at several other places, actually, maliciously, rebelliously, and traitorously summoned and called together great numbers of his majesty's subjects; and invited, persuaded, and encouraged them to take up arms, and levy war against the king, parliament, and kingdom. That he had, in a hostile manner, invaded the kingdom, and killed, hurt, and wounded divers of his majesty's subjects; had set sedition betwixt the king and the people, and then was in open and actual rebellion against the king, parliament, and kingdom. And upon this impeachment a formal order passed both houses, (which was industriously published, and read in many churches of those counties,) declaring his treason, and requiring all persons to apprehend him; whereby not only the common people, who had obeyed his warrant, but his lordship himself, (who had only executed the commission of array, and the seditious party at the same time executing the ordinance of militia, some blows had passed, whereof one or two had died,) were more than ordinarily dismayed. His majesty himself leaving his household and army at Shrewsbury went in person with his troop of guards only to Chester, presuming that his presence would have the same influence there, it had had in all other places, to compose the fears and apprehensions of all honest men, and to drive away the rest; which fell out accordingly: for being received and entertained with all demonstrations of duty by the city of Chester, those who had been most notably instrumental to the parliament, withdrew themselves, and the nobility and gentry, and indeed the common people, flocked to him; the former in very good equipage, and the latter with great expressions of devotion: yet in Cheshire Nantwich, and Manchester in Lancashire, made some shows by fortifying, and seditious discourses of resistance and disaffection, and into those two places the seditious persons had retired themselves. To the first, the lord Grandison was sent with a regiment of horse and some few dragoons, with the which, and his dexterous taking advantage of the people's first apprehensions, before they could take advice what to do, he so awed that town, that after one unskilful volley, they threw down their arms, and he entered the town, took the submission and oaths of the inhabitants for their future obedience; and having caused the small works to be slighted, and all the arms and ammunition to be sent to Shrewsbury, he returned to his majesty. For Manchester, the lord Strange, who had by his majesty's favour and encouragement recovered his

spirits, undertook, without troubling his majesty farther northward, in a very short time to reduce that place, (which was not so fortunately performed, because not so resolutely pursued,) and to send a good body of foot to the king to Shrewsbury. So that his majesty, within a week, leaving all parts behind him full of good inclinations or professions, returned through the north part of Wales (where he found the people cordial to him, and arming themselves for him) to Shrewsbury. The king's custom was in all counties, through which he passed, to cause the high sheriff to draw all the gentlemen and the most substantial inhabitants of those parts together, to whom (besides his caressing the principal gentlemen severally, familiarly, and very obligingly) he always spake something publicly, (which was afterwards printed,) telling them,

"That it was a benefit to him from the insolences and misfortunes, which had driven him about, that they had brought him to so good a part of his kingdom, and to so faithful a part of his people. He hoped, neither they nor he should repent their coming together. He would do his part, that they might not; and of them he was confident before he came." He told them, "the residence of an army was not usually pleasant to any place; and his might carry more fear with it, since it might be thought, (being robbed, and spoiled of all his own, and such terror used to fright and keep all men from supplying him,) he must only live upon the aid and relief of his people." But he bid them "not be afraid;" and said, "he wished to God, his poor subjects suffered no more by the insolence and violence of that army raised against him, though they had made themselves wanton with plenty, than they should do by his; and yet he feared he should not be able to prevent all disorders; he would do his best; and promised them, no man should be a loser by him, if he could help it." He said, "he had sent for a mint, and would melt down all his own plate, and expose all his land to sale, or mortgage, that if it were possible, he might bring the least pressure upon them." However, he invited them "to do that for him, and themselves, for the maintenance of their religion, and the law of the land, (by which they enjoyed all that they had,) which other men did against them;" he desired them, "not to suffer so good a cause to be lost, for want of supplying him with that, which would be taken from them, by those who pursued his majesty with that violence. And whilst those ill men sacrificed their money, plate, and utmost industry, to destroy the commonwealth, they would be no less liberal to preserve it. He bade them assure themselves, if it pleased God to bless him with success, he would remember the assistance every particular man gave him to his advantage. However it would hereafter (how furiously soever the minds of men were now possessed) be honour and comfort to them, that, with some charge and trouble to themselves, they had done their part to support their king, and preserve the kingdom."

His majesty always took notice of any particular reports, which, either with reference to the public, or their private concerns, might make impression upon that people, and gave clear answers to them. So that with this gracious and princely demeanour, it is hardly credible how much he won upon the people; so that not only his army daily increased

by volunteers, (for there was not a man pressed,) but such proportions of plate and money were voluntarily brought in, that the army was fully and constantly paid: the king having erected a mint at Shrewsbury, more for reputation than use, (for, for want of workmen and instruments, they could not coin a thousand pounds a week,) and causing all his own plate, for the service of his household, to be delivered there, made other men think, theirs was the less worth the preserving.

Shortly after the earl of Essex came to Worcester, he sent a gentleman (one Fleetwood, the same who had afterwards so great power in the army, though then a trooper in his guards) to Shrewsbury, without a trumpet, or any other ceremony than a letter to the earl of Dorset; in which he said, "he was appointed by the parliament, to cause a petition, then in his hands, to be presented to his majesty; and therefore desired his lordship to know his majesty's pleasure, when he would be pleased to receive it from such persons, as he should send over with it." The earl of Dorset (by his majesty's command, after it had been debated in council what answer to return) sent him word in writing, "that the king had always been, and would be still, ready to receive any petition from his two houses of parliament; and if his lordship had any such to be presented, if he sent it by any persons, who stood not personally accused by him of high treason, and excepted specially in all offers of pardon made by him, the person who brought it should be welcome; and the king would return such an answer to it, as should be agreeable to honour and justice." Whether this limitation, as to messengers displeased them, (as it was afterwards said, that the messengers appointed to have delivered it were the lord Mandeville and Mr. Hambden, who, they thought, would have skill to make infusions into many persons then about his majesty; and their access being barred by that limitation and exception, they would not send any other,) or what other reason soever there was, the king heard no more of this petition, or any address of that nature, till he found, by some new printed votes and declarations, "that he was guilty of another breach of the privilege of parliament, for having refused to receive their petition, except it were presented in such manner as he prescribed: whereas they alone were judges in what manner, and by what persons, their own petitions should be delivered, and he ought so to receive them." And so that petition, which is before set down in the very terms it passed both houses, was never delivered to his majesty.

There cannot be too often mention of the wonderful providence of God, that from that low despised condition the king was in at Nottingham, after the setting up his standard, he should be able to get men, money, or arms, and yet within twenty days after his coming to Shrewsbury, he resolved to march, in despite of the enemy, even towards London; his foot, by this time, consisting of about six thousand; and his horse of two thousand; his train in very good order, commanded by sir John Heydon. And though this strength was much inferior to the enemy, yet as it was greater than any man thought possible to be raised, so all thought it sufficient to encounter the rebels. Besides that it was confidently believed, (and not without some grounds of correspondence with some officers in

the other army,) that, as soon as the armies came within any reasonable distance of each other, very many soldiers would leave their colours, and come to the king; which expectation was confirmed by some soldiers, who every day dropped in from those forces; and, to make themselves welcome, told many stories of their fellows' resolutions, whom they had left behind.

And this must be confessed, that either by the care and diligence of the officers, or by the good inclinations and temper of the soldiers themselves, the army was in so good order and discipline, that, during the king's stay at Shrewsbury, there was not a disorder of name, the country being very kind to the soldiers, and the soldiers just, and regardful to the country. And by the free loans and contributions of the gentlemen and substantial inhabitants, but especially by the assistance of the nobility, who attended, the army was so well paid, that there was not the least mutiny or discontent for want of pay; nor was there any cause; for they seldom failed every week, never went above a fortnight unpaid.

The greatest difficulty was to provide arms; of which indeed there was a wonderful scarcity, the king being exceedingly disappointed in his expectation of arms from Holland; a vessel or two having been taken by his own ships, under the command of the earl of Warwick; so that, except eight hundred muskets, five hundred pair of pistols, and two hundred swords, which came with the powder, which was landed in Yorkshire, as is before mentioned, the king had none in his magazine; so that he was compelled to begin at Nottingham, and so in all places as he passed, to borrow the arms from the trained bands; which was done with so much wariness and caution, (albeit it was known that those arms would, being left in those hands, be employed against him, or at least be of no use to him,) that it was done rather with their consent, than by any constraint, and always with the full approbation of their commanders. And therefore in Yorkshire and Shropshire, where the gentlemen very unskilfully, though with good meaning, desired that the arms might still be left in the country men's hands, there was none of that kind of borrowing. But, in all places, the noblemen, and gentlemen of quality, sent the king such supplies of arms, out of their own armories, (which were very mean,) so that by all these means together, the foot, all but three or four hundred, who marched without any weapon but a cudgel, were armed with muskets, and bags for their powder, and pikes; but, in the whole body, there was not one pikeman had a corslet, and very few musketeers who had swords. Among the horse, the officers had their full desire, if they were able to procure old backs, and breasts, and pots with pistols, or carabines, for their two or three first ranks, and swords for the rest; themselves (and some soldiers by their examples) having gotten, besides their pistols and swords, a short poleaxe.

The foot were divided into three brigades; the first commanded by sir Nicholas Byron, the second by colonel Harry Wentworth, and the third by colonel Richard Fielding, sir Jacob Ashley being major general, and commanding the foot immediately under the general. For, though general Ruthen, who came to the king some few days before he left Shrewsbury, was made field marshal,

yet he kept wholly with the horse to assist prince Rupert: and sir Arthur Aston, of whose soldiery there was then a very great esteem, was made colonel general of the dragoons; which at that time, though consisting of two or three regiments, were not above eight hundred, or a thousand at the most. Most of the persons of honour and quality, except those whose attendance was near the king's own person, put themselves into the king's troop of guards, commanded by the lord Bernard Stewart; and made indeed so gallant a body, that, upon a very modest computation, the estate and revenue of that single troop might justly be valued at least equal to all theirs, who then voted in both houses, under the name of the lords and commons of parliament, and so made and maintained that war. Their servants, under the command of sir William Killigrew, made another full troop, and always marched with their lords and masters.

In this equipage the king marched from Shrewsbury, on the twelfth of October, to Bridgenorth, never less baggage attending a royal army, there being not one tent, and very few waggons belonging to the whole train; having in his whole army not one officer of the field who was a papist, except sir Arthur Aston, if he were one; and very few common soldiers of that religion. However the parliament, in all their declarations, and their clergy much more in their sermons, assured the people, "that the king's army consisted only of 'papists,' whilst themselves entertained all of that religion, that they could get; and very many, both officers and soldiers, of that religion engaged with them; whether it was that they really believed, that that army did desire liberty of conscience for all religions, as some of the chief of them pretended, or that they desired to divide themselves for communication of intelligence, and interest. And here it is not fit to forget one particular, that, when the committee of parliament appointed to advance the service upon the proposition for plate, and horses, in the county of Suffolk, sent word to the house of commons, "that some papists offered "to lend money upon those propositions, and desired advice whether they should accept of it," it was answered, "that if they offered any considerable sum, whereby it might be conceived to "proceed from a real affection to the parliament, "and not out of policy to bring themselves within "their protection, and so to excuse their delinquency, it should be accepted of."

When the king was ready for his march, there was some difference of opinion which way he should take; many were of opinion that he should march towards Worcester, where the earl of Essex still remained; those countries were thought well-affected to the king; where his army would be supplied with provisions, and increased in numbers; and that no time should be lost in coming to a battle; because the longer it was deferred, the stronger the earl would grow, by the supplies which were every day sent to him from London; and he had store of arms with him to supply all defects of that kind. However it was thought more counsellable to march directly towards London, it being morally sure, that the earl of Essex would put himself in their way. The king had much confidence in his horse, (his nephew prince Rupert being in the head of them,) which were flushed by their success at Worcester; and if he

had made his march that way, he would have been entangled in the enclosures, where his horse would have been less useful; whereas there were many great campanias near the other way, much fitter for an engagement. And so, about the middle of October, the king marched from Shrewsbury, and quartered that night at Bridgenorth, ten miles from the other place, where there was a rendezvous of the whole army, which appeared very cheerful; and so to Wolverhampton, Bromicham, and Killingworth, a house of the king's, and a very noble seat, where the king rested one day; where the lord chief justice Heath, who was made chief justice, for that purpose, (Bramston, a man of great learning and integrity, being, without any purpose of disfavour, removed from that office, because he stood bound by recognizance to attend the parliament, upon an accusation depending there against him,) began to sit upon a commission of oyer and terminer, to attain the earl of Essex, and many other persons who were in rebellion, of high treason.

Some days had passed without any notice of that army; some reporting that it remained still at Worcester; others, that they were marched the direct way from thence towards London. But intelligence came from London, "that very many "officers of name, and command in the parliament army, [had] undergone that service with "a full resolution to come to the king as soon "as they were within any distance; and it was "wished, that the king would send a proclamation "into the army itself, and to offer pardon to all "who would return to their obedience." And a proclamation was prepared accordingly, and all circumstances resolved upon, that a herald should be sent to proclaim it in the head of the earl's army, when it should be drawn up in battle. But that, and many other particulars, prepared and resolved upon, were forgotten, or omitted at the time appointed, which would not admit any of those formalities.

When the whole army marched together, there was quickly discovered an unhappy jealousy, and division between the principal officers, which grew quickly into a perfect faction between the foot and the horse. The earl of Lindsey was general of the whole army by his commission, and thought very equal to it. But when prince Rupert came to the king, which was after the standard was set up, and received a commission to be general of the horse, which, all men knew, was designed for him, there was a clause inserted into it, which exempted him from receiving orders from any body but from the king himself; which, upon the matter, separated all the horse from any dependence upon the general, and had other ill consequences in it: for when the king at midnight, being in his bed, and receiving intelligence of the enemy's motion, commanded the lord Falkland, his principal secretary of state, to direct prince Rupert, what he should do, he took it very ill, and expostulated with the lord Falkland, for giving him orders. But he could not have directed his passion against any man, who would feel or regard it less. And he told him, "that it "was his office to signify what the king bid him; "which he should always do; and that he, in "neglecting it, neglected the king;" who did neither the prince nor his own service any good, by complying in the beginning with his rough nature, which rendered him very ungracious to all men. But the king was so indulgent to him, that

he took his advice in all things relating to the army, and so upon consideration of their march, and the figure of the battle they resolved to fight in with the enemy, he concurred entirely with prince Rupert's advice, and rejected the opinion of the general, who preferred the order he had learned under prince Maurice, and prince Harry, with whom he had served at the same time, when the earl of Essex and he had both regiments. The uneasiness of the prince's nature, and the little education he had in courts, made him unapt to make acquaintance with any of the lords, who were likewise thereby discouraged from applying themselves to him; whilst some officers of the horse were well pleased to observe that strangeness, and fomented it; believing their credit would be the greater with the prince, and desired that no other person should have any credit with the king. So the war was scarce begun, when there appeared such faction and designs in the army, which wise men looked upon as a very evil presage; and the inconveniences, which flowed from thence, gave the king great trouble in a short time after.

Within two days after the king marched from Shrewsbury, the earl of Essex moved from Worcester to attend him, with an army far superior in number to the king's; the horse and foot being completely armed, and the men very well exercised, and the whole equipage (being supplied out of the king's magazines) suitable to an army set forth at the charge of a kingdom. The earl of Bedford had the name of general of the horse, though that command principally depended upon sir William Balfour. Of the nobility he had with him the lords Kimbolton, Saint-John's, Wharton, Roberts, Rochford, and Fielding, (whose fathers, the earls of Dover, and Denbigh, charged as volunteers in the king's guards of horse,) and many gentlemen of quality; but his train was so very great, that he could move but in slow marches. So that the two armies, though they were but twenty miles asunder, when they first set forth, and both marched the same way, they gave not the least disquiet in ten days' march to each other; and in truth, as it appeared afterwards, neither army knew where the other was.

The king by quick marches, having seldom rested a day in any place, came, on Saturday the twenty-second of October, to Edgcot, a village in Northamptonshire, within four miles of Banbury, in which the rebels had a very strong garrison. As soon as he came thither, he called a council of war, and having no intelligence that the earl of Essex was within any distance, it was resolved "the king and the army should rest in those quarters the next day, only that sir Nicholas Byron should march with his brigade, and attempt the taking in of Banbury." And with this resolution the council brake up, and all men went to their quarters, which were at a great distance, without any apprehension of an enemy. But that night, about twelve of the clock, prince Rupert sent the king word, "that the body of the rebels' army was within seven or eight miles, and that the head quarter was at a village called Keinton on the edge of Warwickshire; and that it would be in his majesty's power, if he thought fit, to fight a battle the next day;" which his majesty liked well, and therefore immediately despatched orders to cross the design for Banbury, "and that the whole army should draw to a rendezvous on the

"top of Edge-hill;" which was a very high hill about two miles from Keinton, where the headquarters of the earl was, and which had a clear prospect of all that valley.

In the morning, being Sunday the twenty-third of October, when the rebels were beginning their march, (for they suspected not the king's forces to be near,) they perceived a fair body of horse on the top of that hill, and easily concluded their march was not then to be far. It is certain they were exceedingly surprised, having never had any other confidence of their men, than by the disparity they concluded would be still between their numbers and the king's, the which they found themselves now deceived in. For two of their strongest and best regiments of foot, and one regiment of horse, was a day's march behind with their ammunition. So that, though they were still superior in number, yet that difference was not so great as they promised themselves. However, it cannot be denied that the earl, with great dexterity, performed whatsoever could be expected from a wise general. He chose that ground which best liked him. There was between the hill and the town a fair campaign, save that near the town it was narrower, and on the right hand some hedges, and inclosures: so that there he placed musketeers, and not above two regiments of horse, where the ground was narrowest; but on his left wing he placed a body of a thousand horse, commanded by one Ramsey a Scotsman; the reserve of horse, which was a good one, was commanded by the earl of Bedford, general of their horse, and sir William Balfour with him. The general himself was with the foot, which were ordered as much to advantage as might be. And in this posture they stood from eight of the clock in the morning.

On the other side, though prince Rupert was early in the morning with the greatest part of the horse on the top of the hill, which gave the first alarm of the necessity of fighting to the other party, yet the foot were quartered at so great a distance, that many regiments marched seven or eight miles to the rendezvous: so that it was past one of the clock, before the king's forces marched down the hill; the general himself alighted at the head of his own regiment of foot, his son the lord Willoughby being next to him, with the king's regiment of guards, in which was the king's standard, carried by sir Edmund Verney, knight marshal. The king's right wing of horse was commanded by prince Rupert, the left wing by Mr. Wilnot, commissary general of the horse, who was assisted by sir Arthur Aston with most of the dragoons, because that left wing was opposed to the enemy's right, which had the shelter of some hedges lined with musketeers: and the reserve was committed to sir John Byron, and consisted indeed only of his own regiment. At the entrance into the field, the king's troop of guards, either provoked by some unseasonable scoffs among the soldiery, or out of desire of glory, or both, besought the king, "that he would give them leave to be absent that day from his person, and to charge in the front among the horse;" the which his majesty consented to. They desired prince Rupert "to give them that honour which belonged to them;" who accordingly assigned them the first place; which, though they performed their parts with admirable courage, may well be reckoned among the oversights of that day.

It was near three of the clock in the afternoon, before the battle began; which, at that time of the year, was so late, that some were of opinion, "that the business should be deferred till the next day." But against that there were many objections; "the king's numbers could not increase, the enemy's might;" for they had not only their garrisons, Warwick, Coventry, and Banbury, within distance, but all that country so devoted to them, that they had all provisions brought to them without the least trouble; whereas, on the other side, the people were so disaffected to the king's party, that they had carried away, or hid, all their provisions, insomuch as there was neither meat for man or horse; and the very smiths hid themselves, that they might not be compelled to shoe horses, of which in those stony ways there was great need. This proceeded not from any radical malice, or disaffection to the king's cause, or his person; though it is true, that circuit in which this battle was fought, being very much between the dominions of the lord Say and the lord Brooke, was the most eminently corrupted of any county in England; but by the reports, and infusions which the other very diligent party had wrought into the people's belief; "that the cavaliers were of a fierce, bloody, and licentious disposition, and that they committed all manner of cruelty upon the inhabitants of those places where they came, of which robbery was the least;" so that the poor people thought there was no other way to preserve their goods, than by hiding them out of the way; which was confessed by them, when they found how much that information had wronged them, by making them so injurious to their friends. And therefore where the army rested a day they found much better entertainment at parting, than when they came; for it will not be denied, that there was no person of honour or quality, who paid not punctually and exactly for what they had; and there was not the least violence or disorder among the common soldiers in their march, which escaped exemplary punishment; so that at Bromicham, a town so generally wicked, that it had risen upon small parties of the king's, and killed or taken them prisoners, and sent them to Coventry, declaring a more peremptory malice to his majesty than any other place, two soldiers were executed, for having taken some small trifle of no value out of a house, whose owner was at that time in the rebels' army. So strict was the discipline in this army; when the other, without control, practised all the dissoluteness imaginable. But the march was so fast, that the leaving a good reputation behind them, was no harbinger to provide for their better reception in the next quarters. So that their wants were so great, at the time when they came to Edge-hill, that there were very many companies of the common soldiers, who had scarce eaten bread in eight and forty hours before. The only way to cure this was a victory; and therefore the king gave the word, though it was late, the enemy keeping their ground to receive him without advancing at all.

In this hurry, there was an omission of somewhat, which the king intended to have executed before the beginning of the battle. He had caused many proclamations to be printed of pardon to all those soldiers who would lay down their arms, which he resolved, as is said before, to have sent by a herald to the earl of Essex, and to have found

ways to have scattered and dispersed them in that army, as soon as he understood they were within any distance of him. But all men were now so much otherwise busied, that it was not soon enough remembered; and when it was, the proclamations were not at hand; which, by that which follows, might probably have produced a good effect. For as the right wing of the king's horse advanced to charge the left wing, which was the gross of the enemy's horse, sir Faithful Fortescue, (whose fortune and interest being in Ireland, he had come out of that kingdom to hasten supplies thither, and had a troop of horse raised for him for that service; but as many other of those forces were, so his troop was likewise disposed into that army, and he was now major to sir William Waller; he) with his whole troop advanced from the gross of their horse, and discharging all their pistols on the ground, within little more than carbine shot of his own body, presented himself and his troop to prince Rupert; and immediately, with his highness, charged the enemy. Whether this sudden accident, as it might very well, and the not knowing how many more were of the same mind, each man looking upon his companion with the same apprehension as upon the enemy, or whether the terror of prince Rupert, and the king's horse, or all together, with their own evil consciences, wrought upon them, I know not, but that whole wing, having unskillfully discharged their carabines and pistols into the air, wheeled about, our horse charging in the flank and rear, and having thus absolutely routed them, pursued them flying; and had the execution of them above two miles.

The left wing, commanded by Mr. Wilmot, had as good success, though they were to charge in worse ground, among hedges, and through gaps and ditches, which were lined with musketeers. But sir Arthur Aston, with great courage and dexterity, beat off those musketeers with his dragoons; and then the right wing of their horse was as easily routed and dispersed as their left, and those followed the chase as furiously as the other. The reserve seeing none of the enemy's horse left, thought there was nothing more to be done, but to pursue those that fled; and could not be contained by their commanders; but with spurs, and loose reins, followed the chase, which their left wing had led them. And by this means, whilst most men thought the victory unquestionable, the king was in danger of the same fate which his predecessor Henry the Third felt at the battle of Lewes against his barons; when his son the prince, having routed their horse, followed the chase so far, that, before his return to the field, his father was taken prisoner; and so his victory served only to make the misfortunes of that day the more intolerable. For all the king's horse having thus left the field, many of them only following the execution, others intending the spoil in the town of Keinton, where all the baggage was, and the earl of Essex's own coach, which was taken, and brought away; their reserve, commanded by sir William Balfour, moved up and down the field in good order, and marching towards the king's foot pretended to be friends, till observing no horse to be in readiness to charge them, [they] brake in upon the foot, and did great execution. Then was the general the earl of Lindsey, in the head of his regiment, being on foot, shot in the thigh; with which he fell, and

was presently encompassed by the enemy; and his son, the lord Willoughby, piously endeavouring the rescue of his father, taken prisoner with him. Then was the standard taken, (sir Edmund Verney, who bore it, being killed,) but rescued again by captain John Smith, an officer of the lord Grandison's regiment of horse, and by him brought off. And if those horse had bestirred themselves, they might with little difficulty [have] destroyed, or taken prisoner, the king himself, and his two sons, the prince [of Wales] and the duke of York, being with fewer than one hundred horse, and those without officer or command, within half musket shot of that body, before he suspected them to be enemies.

When prince Rupert returned from the chase, he found this great alteration in the field, and his majesty himself with few noblemen, and a small retinue about him, and the hope of so glorious a day quite vanished. For though most of the officers of horse were returned, and that part of the field covered again with the loose troops, yet they could not be persuaded, or drawn to charge either the enemy's reserve of horse, which alone kept the field, or the body of their foot, which only kept their ground. The officers pretending, "that their soldiers were so dispersed, that there were not ten of any troop together;" and the soldiers, "that their horses were so tired, that they could not charge." But the truth is, where many soldiers of one troop or regiment were rallied together, there the officers were wanting; and where the officers were ready, there the soldiers were not together; and neither officers or soldiers desired to move without those who properly belonged to them. Things had now so ill an aspect, that many were of opinion, that the king should leave the field, though it was not easy to advise whither he should have gone; which if he had done, he had left an absolute victory to those, who even at this time thought themselves overcome. But the king was positive against that advice, well knowing, that as that army was raised by his person and presence only, so it could by no other means be kept together; and he thought it unprincipally, to forsake them who had forsaken all they had to serve him: besides, he observed the other side looked not as if they thought themselves conquerors; for that reserve, which did so much mischief before, since the return of his horse, betook themselves to a fixed station between their foot, which at best could but be thought to stand their ground, which two brigades of the king's did with equal courage, and gave equal volleys; and therefore he tried all possible ways to get the horse to charge again; easily discerning by some little attempts which were made, what a notable impression a brisk one would have made upon the enemy. And when he saw it was not to be done, he was content with their only standing still. Without doubt, if either party had known the constitution of the other, they had not parted so fairly; and, very probably, which soever had made a bold offer, had compassed his end upon his enemy. This made many believe, though the horse vaunted themselves aloud to have done their part, that the good fortune of the first part of the day, which well managed would have secured the rest, was to be imputed rather to their enemy's want of courage, than to their own virtue, (which, after so great a victory, could not so soon have

forsaken them,) and to the sudden and unexpected revolt of sir Faithful Fortescue with a whole troop, no doubt much to the consternation of those he left; which had not so good fortune as they deserved; for by the negligence of not throwing away their orange-tawny scarfs, which they all wore as the earl of Essex's colours, and being immediately engaged in the charge, many of them, not fewer than seventeen or eighteen, were suddenly killed by those to whom they joined themselves.

In this doubt of all sides, the night, the common friend to wearied and dismayed armies, parted them; and then the king caused his cannon, which were nearest the enemy, to be drawn off; and with his whole forces himself spent the night in the field, by such a fire as could be made of the little wood, and bushes which grew thereabouts, unresolved what to do the next morning; many reporting, "that the enemy was gone:" but when the day appeared, the contrary was discovered; for then they were seen standing in the same posture and place in which they fought, from whence the earl of Essex, wisely, never suffered them to stir all that night; presuming reasonably, that if they were drawn off never so little from that place, their numbers would lessen, and that many would run away; and therefore he caused all manner of provisions, [with] which the country supplied him plentifully, to be brought thither to them for their repast, and reposed himself with them in the place; besides, that night he received a great addition of strength, not only by rallying those horse and foot, which had run out of the field in the battle, but by the arrival of colonel Hamden, and colonel Grantham, with two thousand fresh foot, (which were reckoned among the best of the army,) and five hundred horse, which marched a day behind the army for the guard of their ammunition, and a great part of their train, not supposing there would have been any action that would have required their presence. All the advantage this seasonable recruit brought them, was to give their old men so much courage as to keep the field, which it was otherwise believed, they would hardly have been persuaded to have done. After a very cold night spent in the field, without any refreshment of victual, or provision for the soldiers, (for the country was so disaffected, that it not only not sent in provisions, but many soldiers, who straggled into the villages for relief, were knocked in the head by the common people,) the king found his troops very thin; for though, by conference with the officers, he might reasonably conclude, that there were not many slain in the battle, yet a third part of his foot were not upon the place, and of the horse many missing; and they that were in the field were so tired with duty, and weakened with want of meat, and shrunk up with the cruel cold of the night, (for it was a terrible frost, and there was no shelter of either tree or hedge,) that though they had reason to believe, by the standing still of the enemy, whilst a small party of the king's horse, in the morning, took away four pieces of their cannon very near them, that any offer towards a charge, or but marching towards them, would have made a very notable impression in them, yet there was so visible an averseness from it in most officers, as well as soldiers, that the king thought not fit to make the attempt; but contented himself to keep his men in

order, the body of horse facing the enemy upon the field where they had fought.

Towards noon the king resolved to try that expedient, which was prepared for the day before; and sent sir William le Neve, Clarencieux king at arms, to the enemy, with his proclamation of pardon to such as would lay down arms; believing, though he expected then little benefit by the proclamation, that he should, by that means, receive some advertisement of the condition of the army, and what prisoners they had taken, (for many persons of command and quality were wanting,) giving him order likewise to desire to speak with the earl of Lindsey, who was known to be in their hands. Before sir William came to the army, he was received by the out-guards, and conducted, with strictness, (that he might say or publish nothing amongst the soldiers,) to the earl of Essex; who, when he offered to read the proclamation aloud, and to deliver the effect of it, that he might be heard by those who were present, rebuked him, with some roughness, and charged him, "as he loved his life, not to presume to speak a word to the soldiers;" and, after some few questions, sent him presently back well guarded through the army, without any answer at all. At his return he had so great and feeling a sense of the danger he had passed, that he made little observation of the posture or numbers of the enemy. Only he seemed to have seen, or apprehended so much trouble and disorder in the faces of the earl of Essex, and the principal officers about him, and so much dejection in the common soldiers, that they looked like men who had no farther ambition, than to keep what they had left. He brought word of the death of the earl of Lindsey; who, being carried out of the field a prisoner, into a barn of the next village, for want of a surgeon, and such accommodations as were necessary, within few hours died with the loss of blood, his wound not being otherwise mortal or dangerous. This was imputed to the inhumanity of the earl of Essex, as if he had purposely neglected, or inhibited the performing any necessary offices to him, out of the insolence of his nature, and in revenge of some former unkindnesses, [which] had passed between them. But, I presume, it may be with more justice attributed to the hurry and distraction of that season, when, being so insecure of their friends, they had no thoughts vacant for their enemies. For it is not to be denied at the time when the earl of Lindsey was taken prisoner, the earl of Essex thought himself in more danger; and among his faults want of civility and courtesy was none.

The number of the slain, by the testimony of the minister, and others of the next parish, who took care for the burying of the dead, and which was the only computation that could be made, amounted to above five thousand; whereof two parts were conceived to be of those of the parliament party, and not above a third of the king's. Indeed the loss of both sides was so great, and so little of triumph appeared in either, that the victory could scarce be imputed to the one or the other. Yet the king's keeping the field, and having the spoil of it, by which many persons of quality, who had lain wounded in the field, were preserved, his pursuing afterwards the same design he had when he was diverted to the battle, and succeeding in it, (as shall be touched anon,) were greater ensigns of victory on that side, than the taking the general

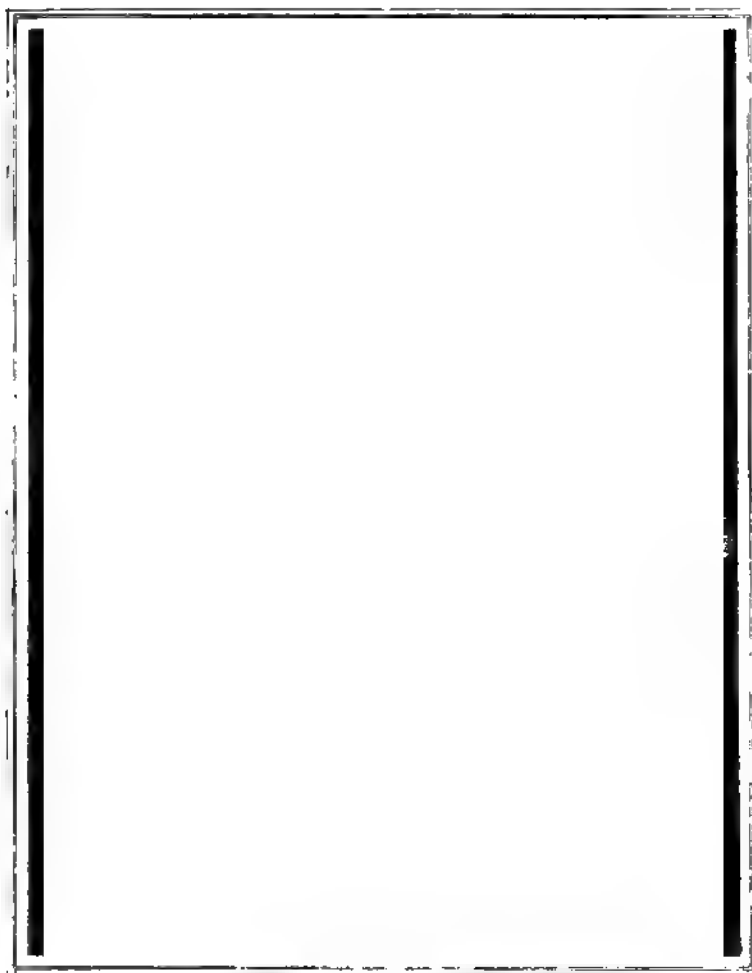
prisoner, and the taking the standard, which was likewise recovered, were on the other. Of the king's the principal persons, who were lost, were the earl of Lindsey, general of the army, the lord George Stewart, lord Aubigny, son to the duke of Lenox, and brother to the then duke of Richmond and Lenox, sir Edmund Verney, knight marshal of the king's horse, and standardbearer, and some others of less name, though of great virtue, and good quality.

The earl of Lindsey was a man of very noble extraction, and inherited a great fortune from his ancestors; which though he did not manage with so great care, as if he desired much to improve, yet he left it in a very fair condition to his family, which more intended the increase of it. He was a man of great honour, and spent his youth and vigour of his age in military actions and commands abroad; and albeit he indulged to himself great liberties of life, yet he still preserved a very good reputation with all men, and a very great interest in his country, as appeared by the supplies he and his son brought to the king's army; the several companies of his own regiment of foot being commanded by the principal knights and gentlemen of Lincolnshire, who engaged themselves in the service principally out of their personal affection to him. He was of a very generous nature, and punctual in what he undertook, and in exacting what was due to him; which made him bear that restriction so heavily, which was put upon him by the commission granted to prince Rupert, and by the king's preferring the prince's opinion, in all matters relating to the war, before his. Nor did he conceal his resentment: the day before the battle, he said to some friends, with whom he had used freedom, "that he did not look upon himself as general; and therefore he was resolved, when the day of battle should come, that he would be in the head of his regiment as a private colonel, where he would die." He was carried out of the field to the next village; and if he could then have procured surgeons, it was thought his wound would not have proved mortal. And it was imputed to the earl of Essex's too well remembering former grudges, that he never sent any surgeon to him, nor performed any other offices of respect towards him; but it is most certain that the disorder the earl of Essex himself was in at that time, by the running away of the horse, and the confusion he saw the army in, and the plundering the carriages in the town where the surgeons were to attend, was the cause of all the omissions of that kind. And as soon as they were composed by the coming on of the night, about midnight, he sent sir William Balfour, and some other officers, to see him, and to offer him all offices, and meant himself to have visited him. They found him upon a little straw in a poor house, where they had laid him in his blood, which had run from him in great abundance, no surgeon having been yet with him; only he had great vivacity in his looks; and told them, "he was sorry to see so many gentlemen, some whereof were his old friends, engaged in so foul a rebellion;" and principally directed his discourse to sir William Balfour, whom he put in mind of "the great obligations he had to the king; how much his majesty had disobliged the whole English nation by putting him into the command of the Tower; and that it was the most odious ingratitude in him to make him that return." He









Engraved by H. Robinson.

**ROBERT BERTIE, EARL OF LINDSEY.**

**OB. 1642.**

**FROM THE ORIGINAL OF VANDERK IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> BARONESS WILLOUGHBY OF ERESBY**



wished them to tell my lord Essex, "that he ought to cast himself at the king's feet to beg his pardon; which if he did not speedily do, his memory would be odious to the nation;" and continued this kind of discourse with so much vehemence, that the officers by degrees withdrew themselves; and prevented the visit the earl of Essex intended him, who only sent the best surgeons to him; who in the very opening of his wounds died before the morning, only upon the loss of blood. He had very many friends, and very few enemies; and died generally lamented.

The lord Aubigny was a gentleman of great hopes, of a gentle and winning disposition, and of very clear courage: he was killed in the first charge with the horse; where, there being so little resistance, gave occasion to suspect that it was done by his own lieutenant, who being a Dutchman, had not been so punctual in his duty, but that he received some reprehension from his captain, which he murmured at. His body was brought off, and buried at Christ-church in Oxford; his two younger brothers, the lord John and the lord Bernard Stewart, were in the same battle, and were both killed afterwards in the war, and his only son is now duke of Richmond. Sir Edmund Verney hath been mentioned before upon his discourse at Nottingham, which was very ominous: he was a person of great honour and courage, and lost his life in that charge, when Balfour, with that reserve of horse, which had been so long undiscerned, broke into those regiments; but his body was not found.

Of the parliament party that perished, the lord Saint-John of Bletnezo, and Charles Essex, were of the best quality. The last had been bred up a page under the earl of Essex, who afterwards, at his charge, preferred him to a command in Holland; where he lived with very good reputation, and preserved the credit of his decayed family; and as soon as the earl unfortunately accepted this command, he thought his gratitude obliged him to run the fortune of his patron, and out of pure kindness to the person of the earl, as many other gentlemen did, engaged himself against the king without any malice or rebellion in his heart towards the crown. He had the command of a regiment of foot, and was esteemed the best and most expert officer of the army, and was killed by a musket shot in the beginning of the battle. The lord Saint-John was eldest son to the earl of Bullingbroke, and got himself so well beloved by the reputation of courtesy and civility, which he expressed towards all men, that though his parts of understanding were very ordinary at best, and his course of life licentious and very much depraved, he got credit enough, by engaging the principal gentlemen of Bedfordshire and Hertfordshire to be bound for him, to contract a debt of fifty or threescore thousand pounds; for the payment whereof the fortune of the family was not engaged, nor in his power to engage. So that the clamour of his debts growing importunate, some years before the rebellion, he left the kingdom, and fled into France; leaving his vast debt to be paid by his sureties, to the utter ruin of many families, and the notable impairing of others. In the beginning of the parliament, the king was prevailed with to call him to the house of peers, his father being then alive, upon an assurance, "that by his presence and liberty, which could by no other way be secured, means would be found out to pay his debts, and free so many

"worthy persons from their engagements: besides that the times being like to be troublesome, the king might be sure of a faithful servant, who would always advance his service in that house." But the king had very ill fortune in conferring those graces, nor was his service more passionately and insolently opposed by any men in that house than by those, who upon those professions were redeemed by him from the condition of commoners. And this gentleman, from the first hour of his sitting in that house by the king's so extraordinary grace, was never known to concur in any one vote for the king's service, that received any opposition: and, as soon as it was in his power, he received a commission with the first to command a troop of horse against him, in which he behaved himself so ill, that he received some wounds in running away; and being taken prisoner, died before the next morning, without any other signs of repentance, than the canting words, "that he did not intend to be against the king, but wished him all happiness:" so great an influence the first seeds of his birth and mutinous family had upon his nature, that how long soever they were concealed, and seemed even buried in a very different breeding and conversation, they sprung up, and bore the same fruit upon the first occasion. And it was an observation of that time, that the men of most licentious lives, who appeared to be without any sense of religion, or reverence to virtue, and the most unrestrained by any obligations of conscience, betook themselves to that party, and pretended an impulsion of religion out of fear of popery; and, on the other side, very many persons of quality, both of the clergy and laity, who had suffered under the imputation of puritanism, and did very much dislike the proceedings of the court, and opposed them upon all occasions, were yet so much scandalized at the very approaches to rebellion, that they renounced all their old friends, and applied themselves with great resolution, courage, and constancy to the king's service, and continued in it to the end, with all the disadvantages it was liable to.

Prisoners taken by the enemy were, the lord Willoughby, hastily and piously endeavouring the rescue of his father; sir Thomas Lunsford, and sir Edward Stradling, both colonels; and sir William Vavasour, who commanded the king's regiment of guards under the lord Willoughby; and some other inferior commanders. There were hurt, sir Jacob Ashley, and sir Nicholas Byron, and more dangerously, colonel Charles Gerrard, who, being shot in the thigh, was brought off the field without any hopes of life, but recovered to act a great part afterwards in the war; sir George Strode, and some other gentlemen who served among the foot; for of the horse there was not an officer of name, who received a wound, the lord Aubigny only excepted; so little resistance did that part of the enemy make. Of the rebels there were slain, the lord Saint-John's, son and heir apparent of the earl of Bullingbroke, a man known by nothing, but the having run into a vast debt, to the ruin of his own and many families whom he procured to be engaged for him, whom the king, shortly after the beginning of this parliament, at the importunity of the earl of Bedford and some others, unhappily created a peer, and by that rendered his person free from the arrest of his creditors, and added one to the number of those lords, who most furiously revolted from their allegiance. He had at this battle a regiment

of horse, and was taken prisoner after he had received some hurts, of which he died the next day. On the field was slain, colonel Charles Essex, the soldier of whom they had the best opinion, and who had always, till this last action, preserved a good reputation in the world, which was now the worse, over and above the guilt of rebellion, by his having sworn to the queen of Bohemia, by whose intercession he procured leave from the prince of Orange to go into England, "that he would never serve against the king:" and many other of obscure names, though officers of good command. There were a good number of their officers, especially of horse, taken prisoners, but (save that some of them were parliament men) of mean quality in the world, except only sir William Essex, the father of the colonel, whose wants, from having wasted a very great fortune, and his son's invitation, led him into that company; where he was a private captain of his regiment.

When the armies had thus only looked one upon another the whole day, and it being discerned that the enemy had drawn off his carriages, the king directed all his army to retire into their old quarters, presuming (as it proved) that many of those who were wanting would be found there. And so himself with his two sons went to Edgecot, where he lay the night before the battle, resolving to rest the next day, both for the refreshing his wearied, and even tired men, and to be informed of the motion and condition of the enemy, upon which some troops of the king's horse attended. The earl of Essex retired with his to Warwick castle, whither he had sent all his prisoners; so that, on the Tuesday morning, the king was informed, that the enemy was gone, and that some of his horse had attended the rear of the enemy almost to Warwick, and that they had left many of their carriages, and very many of their wounded soldiers, at the village next the field; by which it appeared that their remove was in haste, and not without apprehension.

After the horse had marched almost to Warwick, and found the coast clear from the enemy, they returned to the field to view the dead bodies, many going to inquire after their friends who were missing, where they found many not yet dead of their wounds, but lying stripped among the dead; among whom, with others, young Mr. Scroop brought off his father, sir Gervas Scroop; who, being an old gentleman of great fortune in Lincolnshire, had raised a foot company among his tenants, and brought them into the earl of Lindsey's regiment, out of devotion and respect to his lordship, as well as duty to the king; and had, about the time that the general was taken, fallen with sixteen wounds in his body and head; and had lain stripped among the dead, from that time, which was about three of the clock in the afternoon on Sunday, all that cold night, all Monday, and Monday night, and till Tuesday evening, for it was so late before his son found him; whom with great piety he carried to a warm lodging, and afterwards in the march to Oxford; where he wonderfully recovered. The next morning after, being Wednesday, there was another gentleman, one Bellingham, of an ancient extraction in Sussex, and the only son of his father, found among the dead, and brought off by his friends, with twenty wounds; who, after ten days, died at Oxford, by the negligence of his surgeons, who left a wound in his thigh, of itself not danger-

ous, undiscerned, and so by festering destroyed a body very hopefully recovered of those which were only thought mortal. The surgeons were of opinion, that both these gentlemen owed their lives to the inhumanity of those who stripped them, and to the coldness of the nights, which stopped their blood, better than all their skill and medicaments could have done; and that, if they had been brought off within any reasonable distance of time after their wounds, they had undoubtedly perished.

On Wednesday morning, the king drew his army to a rendezvous, where he found his numbers greater than he expected; for, in the night after the battle, very many of the common soldiers, out of cold and hunger, had found their old quarters. So that it was really believed upon this view, when this little rest had recovered a strange cheerfulness into all men, that there were not in that battle lost above three hundred men at the most. There the king declared general Ruthen general of his army in the place of the earl of Lindsey; and then marched to Ayno, a little village two miles distant from Banbury, of which his majesty that day took a view, and meant to attempt it the next day following. There was at that time in Banbury castle a regiment of eight hundred foot, and a troop of horse, which, with spirits proportionable, had been enough to have kept so strong a place from an army better prepared to have assaulted it, than the king's then was, and at a season of the year more commodious for a siege. And therefore many were of opinion, that the king should have marched by it, without taking notice of it, and that the engaging before it might prove very prejudicial to him. That which prevailed with him to stay there, besides the courage of his soldiers, who had again recovered their appetite to action, was that he could not well resolve whither to go; for till he was informed what the earl of Essex did, he knew not how to direct his march; and if the enemy advanced upon him, he could not fight in a place of more advantage. And therefore, having sent a trumpet to summon the castle, and having first taken the lord Say's house at Broughton, where there was some show of resistance, and in it a troop of horse, and some good arms, the cannon were planted against the castle, and the army drawn out before it; but, upon the first shot made, the castle sent to treat, and, upon leave to go away without their arms, they fairly and kindly delivered the place; and half the common soldiers at the least readily took conditions, and put themselves into the king's army; the rest of the arms came very seasonably to supply many soldiers of every regiment, who either never had any before, or had lost them at the battle.

This last success declared where the victory was before at Edgehill; for, though the routing of their horse, the having killed more on the place, and taken more prisoners, the number of the colours won from the enemy, (which were near forty in number,) without the loss of above three or four, and lastly the taking four pieces of their cannon the next morning after the battle, were so many arguments that the victory inclined to the king: on the other side, the loss of the general himself, and so many men of name either killed or taken prisoners, who were generally known over the kingdom, (whereas, besides the lord Saint-John's, and colonel Essex, the names of the rest of that party were so obscure, that neither the one side

seemed to be gainers by having taken or killed them, nor the other side to be losers by being without them,) the having kept the field last, and taken the spoil of it, were sufficient testimonies at the least that they were not overcome. But now the taking of Banbury, which was the more signal, by the circumstances of that part of the army's being, before the battle, designed for that service, then recalled to the field, and after that field fought, and the retreat of the enemy, the readvancing upon it, and taking it, was so undeniable an argument that the earl of Essex was more broken and scattered than at first he appeared to be, that the king's army was looked upon as victorious. A garrison was put into Banbury, and the command thereof committed to the earl of Northampton, and then the king marched to his own house [at] Woodstock; and the next day with the whole army to Oxford, which was the only city of England, that he could say was entirely at his devotion; where he was received by the university, to whom the integrity and fidelity of that place is to be imputed, with all joy and acclamation, as Apollo should be by the muses.

The earl of Essex continued still at Warwick, repairing his broken regiments and troops, which every day lessened and impaired; for the number of his slain men was greater than it was reported to be, there being very many killed in the chase, and many who died of their wounds after they were carried off, and, of those, who run away in the beginning, more stayed away than returned; and, which was worse, they who run fastest and farthest told such lamentable stories of the defeat, and many of them shewed such hurts, that the terror thereof was even ready to make the people revolt to their allegiance in all places. Many of those who had stood their ground, and behaved themselves well in the battle, either with remorse of conscience, horror of what they had done, and seen, or weariness of the duty and danger, withdrew themselves from their colours, and some from their commands. And it is certain many engaged themselves first in that service, out of an opinion, that an army would procure a peace without fighting; others out of a desire to serve the king, and resolving to go away themselves, and to carry others with them, as soon as they should find themselves within a secure distance to do it; both these being, contrary to their expectation, brought to fight, the latter not knowing how to get to the king's army in the battle, discharged themselves of the service as soon as they came to Warwick; some with leave, and some without. But that which no doubt most troubled his excellency, was the temper and constitutions of his new masters; who, he knew, expected no less from him than a victory complete, by his bringing the person of the king alive or dead to them; and would consider what was now fallen out, as it was so much less than they looked for, not as it was more than any body else could have done for them. However, he gave them a glorious account of what had passed, and made as if his stay at Warwick were rather to receive new orders and commands from them, than out of any weakness or inability to pursue the old, and that he attended the king's motion as well as if he had been within seven miles of him.

It is certain the consternation was very great at London, and in the two houses, from the time that they heard, that the king marched from Shrews-

bury with a formed army, and that he was resolved to fight, as soon as he could meet with their army. However, they endeavoured to keep up confidently the ridiculous opinion among the common people, that the king did not command, but was carried about in that army of the cavaliers, and was desirous to escape from them; which they hoped the earl of Essex would give him opportunity to do. The first news they heard of the army's being engaged, was by those who fled upon the first charge; who made marvellous haste from the place of danger, and thought not themselves safe, till they were gotten out of any possible distance of being pursued. It is certain, though it was past two of the clock before the battle begun, many of the soldiers, and some commanders of no mean name, were at St. Alban's, which was near thirty miles from the field, before it was dark. These men, as all runaways do for their own excuse, reported all for lost, and the king's army to be so terrible, that it could not be encountered. Some of them, that they might not be thought to come away before there was cause, or whilst there was any hope, reported the progress of the battle, and presented all those lamentable things, and the circumstances by which every part of the army was defeated, which their terrified fancies had suggested to them whilst they run away; some had seen the earl of Essex slain, and heard his dying words; "That every one should shift for himself, for all resistance was to no purpose:" so that the whole city was, the Monday, full of the defeat; and though there was an express, from the earl of Essex himself, of the contrary, there was not courage enough left to believe it, and every hour produced somewhat to contradict the reports of the last. Monday in the afternoon, the earl of Holland produced a letter in the house of peers, which was written the night before by the earl of Essex, in which all particulars of the day were set down, and "the impression that had in the beginning been made upon his horse, but that the conclusion was prosperous." Whilst this was reading, and every man greedily digesting the good news, the lord Hastings, who had a command of horse in the service, entered the house with frightened and ghastly looks, and positively declared "all to be lost, against whatsoever they believed or flattered themselves with." And though it was evident enough that he had run away from the beginning, and only lost his way thither, most men looked upon him as the last messenger, and even shut their ears against any possible comfort; so that without doubt very many, in the horror and consternation of eight and forty hours, paid and underwent a full penance and mortification for the hopes and insolence of three months before. At the last, on Wednesday morning, the lord Wharton, and Mr. William Strode, the one a member of the house of lords, the other of the commons, arrived from the army, and made so full a relation of the battle, "of the great numbers slain on the king's part, without any considerable loss on their side, of the miserable and weak condition the king's army was in, and of the earl of Essex's resolution to pursue him," that they were not now content to be savers, but voted "that their army had the victory;" and appointed a day for a solemn thanksgiving to God for the same; and, that so great a joy might not be enjoyed only within those walls, they appointed those two trusty messengers to communicate the whole

relation with all circumstances to the city; which was convened together at the guildhall to receive the same. But by this time, so many persons, who were present at the action, came to the town of both sides, (for there was yet a free intercourse with all quarters,) and some discourses were published, how little either of these two messengers had seen themselves of that day's business, that the city seemed not so much exalted at their relations, as the houses had [been]; the king's taking Banbury, and marching afterwards to Oxford, and the reports from those quarters of his power, with the earl of Essex's lying still at Warwick, gave great argument of discourse; which grew the greater by the commitment of several persons, for reporting, "that the king had the better of the field;" which men thought would not have been, if the success had been contrary; and therefore there was nothing so generally spoken of, or wished for, as peace.

They who were really affected to the king, and from the beginning opposed all the extravagances, for of such there were many in both houses, who could not yet find in their hearts to leave the company, spake now aloud, "that an humble address to the king for the removal of all misunderstandings, was both in duty necessary, and in policy convenient." The half-hearted and half-witted people, which made much the major part of both houses, plainly discerned there must be a war, and that the king at least would be able to make resistance, which they had been promised he could not do, and so were equally passionate to make any overtures for accommodation. They only who had contrived the mischief, and already had digested a full change and alteration of government, and knew well, that all their arts would be discovered, and their persons odious, though they might be secured, violently opposed all motions of this kind. These men pressed earnestly "to send an express to their brethren of Scotland, to invite and conjure them to come to their assistance, and to leave no way unthought of for suppressing, and totally destroying, all those who had presumed to side with the king." This overture of calling the Scots in again was as unpopular a thing, as could be mentioned; besides that it implied a great and absolute diffidence in their own strength, and an acknowledgment that the people of England stood not so generally affected to their desires, which they had hitherto published, and urged, as the best argument to justify those desires. Therefore the wise managers of that party, by whose conduct they had been principally governed, seemed fully to concur with those who desired peace, "and to send an humble address to the king, which they confessed to be due from them as subjects, and the only way to procure happiness for the kingdom." And having hereby rendered themselves gracious, and gained credit, they advised them "so to endeavour peace, that they might not be disappointed of it," and wished them "to consider that the king's party were high upon the success of having an army, (of which they had reasonably before despaired,) though not upon any thing that army had yet done. That it was apparent, the king had ministers stirring for him in the north, and in the west, though hitherto with little effect; and therefore if they should make such an application for peace, as might imply the giving over the thoughts of war, they

"must expect such a peace, as the mercy of those whom they had provoked would consent to. But if they would steadily pursue those counsels as would make their strength formidable, they might then expect such moderate conditions, as they might, with their own, and the kingdom's safety, securely submit to. That therefore the proposition of sending into Scotland was very seasonable; not that it could be hoped, or was desired, that they should bring an army into England, of which there was not like to be any need; but that that kingdom might make such a declaration of their affections, and readiness to assist the parliament, that the king might look upon them with the more consideration, as a body not easily to be oppressed, if he should insist upon too high conditions."

By this artifice, whilst they who pressed a treaty thought, that, that being once consented to, a peace would inevitably be concluded, the same day that a committee was appointed, "to prepare heads of an humble address unto his majesty, for composing the present differences and distractions, and settling the peace of the kingdom," (which was a great condescension,) they made no scruple to declare, "that the preparations of forces, and all other necessary means for defence, should be prosecuted with all vigour;" and thereupon required "all those officers and soldiers, who had left their general, of which the town was then full, upon pain of death, to return to him;" and, for his better recruit, solemnly declared, "that, in such times of common danger and necessity, the interest of private persons ought to give way to the public; and therefore they ordained, that such apprentices, as would be listed to serve as soldiers, for the defence of the kingdom, the parliament, and city, (with their other usual expressions of religion, and the king's person,) their sureties, and such as stood engaged for them, should be secured against their masters; and that their masters should receive them again, at the end of their service, without imputing any loss of time to them, but the same should be reckoned as well spent, according to their indentures, as if they had been still in their shops." And by this means many children were engaged in that service, not only against the consent, but against the persons, of their fathers, and the earl received a notable supply thereby.

Then, for their consent that a formal and perfunctory message should be sent to his majesty, whereby they thought a treaty would be entered upon, they procured at the same time, and as an expedient for peace, this material and full declaration of both houses to the subjects of Scotland, which they caused with all expedition to be sent into that kingdom.

"We the lords and commons, assembled in the parliament of England, considering with what wisdom, and public affection, our brethren of the kingdom of Scotland did concur with the endeavours of this parliament, and the desires of the whole kingdom, in procuring and establishing a firm peace and amity between the two nations, and how lovingly they have since invited us to a nearer and higher degree of union in matters concerning religion and church-government, which we have most willingly and affectionately embraced, and intend to pursue, cannot doubt but they will, with as much forwardness and

"affection, concur with us in settling peace in this kingdom, and preserving it in their own; that so we may mutually reap the benefit of that amity and alliance, so happily made, and strongly confirmed betwixt the two nations. Wherefore, as we did about a year since, in the first appearance of trouble then beginning among them, actually declare, that, in our sense and apprehension of the national alliance betwixt us, we were thereby bound to apply the authority of parliament, and power of this kingdom, to the preservation and maintenance of their peace: and, seeing now that the troubles of this kingdom are grown to a greater height, and the subtle practices of the common enemy of the religion and liberty of both nations do appear with more evident strength and danger than they did at that time, we hold it necessary to declare, that, in our judgment, the same obligation lies upon our brethren, by the aforementioned act, with the power and force of that kingdom, to assist us in repressing those among us, who are now in arms, and make war, not only without consent of parliament, but even against the parliament, and for the destruction thereof.

"Wherefore we have thought good to make known unto our brethren, that his majesty hath given commission to divers eminent and known papists, to raise forces, and to compose an army in the north, and other parts of this kingdom, which is to join with divers foreign forces, intended to be transported from beyond the seas, for the destruction of this parliament, and of the religion and liberty of the kingdom: and that the principal part of the clergy and their adherents have likewise invited his majesty to raise another army, which, in his own person, he doth conduct against the parliament, and the city of London, plundering and robbing sundry well affected towns within their power; and, in prosecution of their malice, they are so presumptuous, and predominant of his majesty's resolutions, that they forbear not those outrages in places to which his majesty hath given his royal word and protection; a great cause and incentive of which malice proceeds from the design they have to hinder the reformation of ecclesiastical government in this kingdom, so much longed for by all the true lovers of the protestant religion.

"And hereupon we farther desire our brethren of the nation of Scotland, to raise such forces they shall think sufficient for securing the peace of their own borders, against the ill affected persons there, as likewise to assist us in suppressing the army of papists and foreigners; which, as we expect, will shortly be on foot here, and if they be not timely prevented, may prove as mischievous and destructive to that kingdom, as to ourselves. And though we seek nothing from his majesty that may diminish his just authority, or honour, and have, by many humble petitions, endeavoured to put an end to this unnatural war and combustion in the kingdom, and to procure his majesty's protection, and security for our religion, liberty, and persons, (according to that great trust which his majesty is bound to by the laws of the land,) and shall still continue to renew our petitions in that kind; yet, to our great grief, we see the papistical and malignant counsel so prevalent with his majesty, and his person so engaged to their power, that we have little hope

"of better success of our petitions than we formerly had; and are thereby necessitated to stand upon our just defence, and to seek this speedy and powerful assistance of our brethren of Scotland, according to that act agreed upon in the parliament of both kingdoms, the common duty of Christianity, and the particular interests of their own kingdom: to which we hope God will give such a blessing, that it may produce the preservation of religion, the honour, safety, and peace of his majesty, and all his subjects, and a more strict conjunction of the counsels, designs, and endeavours of both nations, for the comfort and relief of the reformed churches beyond sea."

It will not be here unseasonable, having, according to my weak abilities and observation, described the general temper and disposition of that time, and the particular state of affairs in the several parts of the kingdom, to take some short survey of the affections and inclinations of Scotland; the ordering and well disposing whereof, either side sufficiently understood, would be of moment, and extraordinary importance in the growing contention. From the time of the king's being last there, when he had so fully complied with all they had desired, both for the public government, and their private advancements, that kingdom within itself enjoyed as much quiet and tranquillity as they could desire; having the convenience of disburdening themselves of their late army into Ireland, whither their old general Leslie, then made earl of Leven, was employed in his full command by the king and the two houses, at the charge of England. So that many believed they had been so abundantly satisfied with what they had already gotten from England, that they had no farther projects upon this kingdom, but meant to make their fortunes by a new conquest in Ireland, where they had a very great part of the province of Ulster planted by their own nation. So that, according to their rules of good husbandry, they might expect whatsoever they got from the rebels to keep for themselves. And the king himself was so confident that the affections of that people could not be [so] corrupted towards him, as to make a farther attempt upon him, that he believed them, to a degree, sensible of their former breach of duty, and willing to repair it by any service. Leslie himself had made great acknowledgments, and great professions to him, and had told him, "That it was nothing to promise him, that he would never more bear arms against him; but he promised he would serve his majesty upon any summons, without asking the cause." The earl of Lowden, and all the rest, who had misled the people, were possessed of whatsoever they could desire, and the future fortune of that nation seemed to depend wholly upon the keeping up the king's full power in this.

His majesty had, from time to time, given his council of that kingdom full relations of all his differences with the parliament, and had carefully sent them the declarations, and public passages of both sides; and they had always returned very ample expressions of their affections and duty, and expressed a great sense of the parliament's proceedings towards him. And since the time of his being at York, the lord chancellor of Scotland, in whose integrity and loyalty he was least secure, had been with him; and seemed so well satisfied with the justice and honour of his majesty's car-



riage towards the parliament, that he writ to the Scottish commissioners at London, in the name, and as by the direction of the lords of the secret council of that kingdom, "that they should present "to the two houses the deep sense they had of the "injuries and indignities, which were offered to "the king, whose just rights they were bound to "defend; and that they should conjure them to "bind up those wounds which were made, and not "to widen them by sharpness of language; and to "give his majesty such real security for his safety "among them, by an effectual declaring against "tumults, and such other actions as were justly "offensive to his majesty, that he might be induced "to reside nearer to them, and comply with them "in such propositions as should be reasonably "made;" with many such expressions, as together with his return into Scotland without coming to London, where he was expected, gave them so much offence and jealousy, that they never communicated that letter to the houses, and took all possible care to conceal it from the people.

The marquis Hamilton had been likewise with his majesty at York, and finding the eyes of all men directed towards him with more than ordinary jealousy, he offered the king to go into Scotland, with many assurances and undertakings, confident, "that he would at least keep that people "from doing any thing, that might seem to countenance the carriage of the parliament." Upon which promises, and to be rid of him at York, where he was by all men looked upon with marvellous prejudice, the king suffered him to go, with full assurance that he would, and he was sure he could, do him very good service there: as, on the other side, in his own court he was so great an offence, that the whole gentry of Yorkshire, who no doubt had infusions to that purpose from others, had a design to have petitioned the king, that the marquis might be sequestered from all councils, and presence at court, as a man too much trusted by them who would not trust his majesty.

Lastly, the king had many of the nobility of Scotland then attending him, and among those the earl of Calander, who had been lieutenant-general of the Scottish army, when it invaded England, and had freely confessed to his majesty, upon what errors and mistakes he had been corrupted, and by whom, and pretended so deep a sense of what he had done amiss, that it was believed he would have taken command in the king's army; which he declined, as if it might have been penal to him in Scotland by some clause in the act of the pacification, but especially upon pretence it would disable him from doing him greater service in that kingdom: whither, shortly after the standard was set up, he repaired, with all solemn vows of asserting and improving his majesty's interest in those parts.

The parliament on the other hand assured themselves, that that nation was entirely theirs, having their commissioners residing with them at London; and the chief managers and governors in the first [war], by their late intercourse, and communication of guilt, having a firm correspondence with the marquis of Argyll, the earl of Lowden, and that party, who, being not able to forgive themselves, thought the king could never in his heart forgive them, when it should be in his power to bring them to justice. And they undertook

that when there should be need of that nation, (which the other thought there would never be,) they should be as forward to second them as they had been; in the mean time returned as fair and respective answers to all their messages, and upon their declarations, which were constantly sent to them, as they did to the king; assisting them in their design against the church, which was not yet grown popular, even in the two houses, by declaring "that the people of that nation could never "be engaged on any other ground, than the reformation of religion." And therefore, about the beginning of August, the assembly of the kirk of Scotland published a declaration; "how exceedingly grievous they were, and made heavy, that "in so long a time, against the professions both "of king and parliament, and contrary to the joint "desires and prayers of the godly in both kingdoms, to whom it was more dear and precious "than what was dearest to them in the world, the "reformation of religion had moved so slowly, "and suffered so great interruption."

The ground of which reproach was this: in the late treaty of peace, the commissioners for Scotland had expressed a desire or wish warily couched in words, rather than a proposition, "that there were "such an unity of religion, and uniformity of "church-government agreed on, as might be a "special means for conserving of peace betwixt "the two kingdoms:" to which there had been a general inclination to return a rough answer, and reproof for their intermeddling in any thing that related to the laws of England. But, by the extraordinary industry and subtilty of those, who saw that business was not yet ripe, and who alleged, that it was only wished, not proposed, and therefore that a sharp reply was not merited, this gentle answer, against the minds of very many, was returned:

"That his majesty, with the advice of both "houses of parliament, did approve of the affection "of his subjects of Scotland, in their desire of "having conformity of church-government between the two nations; and as the parliament "had already taken into consideration the reformation of church-government, so they would proceed therein in due time, as should best conduce "to the glory of God, the peace of the church, "and of both kingdoms."

Which was consented to by most, as a civil answer, signifying, or concluding nothing; by others, because it admitted an interpretation of reducing the government of the church in Scotland to this of England, as much as the contrary. But it might have been well discerned, that those men asked nothing without a farther design than the words naturally imported, nor ever rested satisfied with a general formal answer, except they found, that they should hereafter make use, and receive benefit by such answer. So they now urged the matter of this answer, as a sufficient title to demand the extirpation of prelacy in England, and demolishing the whole fabric of that glorious church; urging his majesty's late practice, while he [was] in person in Scotland, in resorting frequently to their exercises of public worship; and his royal actions, in establishing the worship and government of that kirk in parliament. And therefore they desired the parliament "to begin their work "of reformation at the uniformity of kirk-government; for that there could be no hope of unity

"in religion, of one confession of faith, one form of worship, and one catechism, till there were first one form of church-government; and that the kingdom, and kirk of Scotland, could have no hope of a firm and durable peace, till prelacy, which had been the main cause of their miseries and troubles, first and last, were plucked up root and branch, as a plant which God had not planted, and from which no better fruits could be expected, than such sour grapes, as at that day set on edge the kingdom of England."

Which declaration the lords of the secret council, finding, as they said, "the reasons therein expressed to be very pregnant, and the particulars desired, much to conduce to the glory of God, the advancement of the true Christian faith, his majesty's honour, and the peace and union of his dominions," well approved of; and concurred in their earnest desires to the two houses of parliament, "to take to their serious considerations those particulars, and to give favourable hearing to such desires and overtures, as should be found most conducive to the promoting so great and so good a work."

This being sent to the parliament at the time they were forming their army, and when the king was preparing for his defence, they who, from the beginning, had principally intended this confusion of the church, insinuated "how necessary it was, speedily to return a very affectionate and satisfactory reply to the kingdom of Scotland; not only to preserve the reputation of unity and consent between them, which, at that time, was very useful to them, but to hinder the operations of the disaffected in that kingdom; who, upon insinuations that the parliament only aimed at taking his majesty's regal rights from him, to the prejudice of monarchique government, without any thought of reforming religion, endeavoured to pervert the affections of that people towards the parliament. Whereas, if they were once assured there was a purpose to reform religion, they should be sure to have their hearts; and, if occasion required, their hands too; which possibly might be seduced for the king, if that purpose were not manifested. Therefore, for the present, they should do well to return their hearty thanks for, and their brotherly acceptance and approbation of the desires and advice of that Christian assembly, and of the lords of the council; and that though, for the present, by reason of the king's distance from the parliament, they could not settle any conclusion in that matter, [yet] for their parts they were resolved to endeavour it."

By this artifice and invention, they procured a declaration from the two houses of parliament, of wonderful kindness, and confession of many inconveniences and mischiefs the kingdom had sustained by bishops; and therefore they declared, "that that hierarchical government was evil, and justly offensive, and burdensome to the kingdom; a great impediment to reformation and growth of religion; very prejudicial to the state and government of the kingdom; and that they were resolved, that the same should be taken away; and that their purpose was to consult with godly and learned divines, that they might not only remove that, but settle such a government, as might be most agreeable to God's holy word; most apt to procure and conserve the

"peace of the church at home, and happy union with the church of Scotland, and other reformed churches abroad; and to establish the same by a law, which they intended to frame for that purpose, to be presented to his majesty for his royal assent; and in the mean time to beseech him, that a bill for the assembly might be passed in time convenient for their meeting;" the two houses having extrajudicially and extravagantly nominated their own divines to that purpose, as is before remembered.

It was then believed by many, and the king was persuaded to believe the same, that all those importunities from Scotland concerning the government of the church were used only to preserve themselves from being pressed by the parliament, to join with them against the king; imagining that this kingdom would never have consented to such an alteration; and they again pretending, that no other obligation could unite that people in their service. But it is most certain, this last declaration was procured by persuading men, "that it was for the present necessary, and that it was only an engagement to do their best to persuade his majesty, who they concluded would be inextricable in the point," (which they seemed not to be sorry for,) "and that a receding from such a conclusion would be a means to gratify his majesty in a treaty." At worst, they all knew, that there would be room enough, when any bill should be brought in, to oppose what they had, for this reason of state, seemed generally to consent to. And so by these stratagems, thinking to be too hard for each other, they grew all so entangled, that they still wound themselves deeper into those labyrinths, in which the major part meant not to be involved. And what effect that declaration of the two houses, after the battle of Edge-hill, which is mentioned before, wrought, will very shortly appear.

The king found himself in good ease at Oxford, where care was taken for providing for the sick and wounded soldiers, and for the accommodation of the army, which was, in a short time, recruited there in a good measure; and the several colleges presented his majesty with all the money they had in their treasuries, which amounted to a good sum, and was a very seasonable supply, as they had formerly sent him all their plate. It had been very happy, if the king had continued his resolution of sitting still during the winter, without making farther attempts; for his reputation was now great, and his army believed to be much greater than it was, by the victory they had obtained, and the parliament grew more divided into factions, and dislike of what they had done, and the city appeared fuller of discontent, and less inclined to be imposed upon, than they had been: so that on all hands nothing was pressed, but that some address might be made to the king for an accommodation; which temper and disposition might have been cultivated, as many men thought, to great effects, if no farther approaches had been made to London, to shew them how little cause they had for their great fear. But the weather growing fair again, as it often is about Allhollontide, and a good party of horse having been sent out from Abingdon, where the head quarter of the horse was, they advanced farther than they had order to do, and upon their approach to Reading, where Harry Martin was governor for the parliament, there was a great terror seized upon them, insomuch as go-

vernor and garrison fled to London, and left the place to the party of horse; which gave advertisement to the king, "that all fled before them; that the earl of Essex remained still at Warwiak, "having no army to march; and that there were "so great divisions in the parliament, that, upon "his majesty's approach, they would all fly; and "that nothing could interrupt him from going to "Whitehall. However, Reading itself was so "good a post, that if the king should find it "necessary to make his own residence in Oxford, "it would be much the better by having a garrison at Reading."

Upon these and other motives, besides the natural credulity in men, in believing all they wish to be true, the king was prevailed with to march with his army to Reading. This alarm quickly came to London, and was received with the deepest horror: they now unbelieving all which had been told them from their own army; that army, which, they were told, was well beaten and scattered, was now advanced within thirty miles of London; and the earl of Essex, who pretended to the victory, and who they supposed was watching the king, that he might not escape from him, could not be heard of, and continued still at Warwick. Whilst the king was at Nottingham, and Shrewsbury, they gave orders magisterially for the war: but now it was come to their own doors, they took not that delight in it.

Before they were resolved what to say, they despatched a messenger, who found the king at Reading, only to desire "a safe conduct from his "majesty for a committee of lords and commons, "to attend his majesty with an humble petition "from his parliament." The king presently returned his answer, "that he had always been, and "was still, ready to receive any petition from them; "that their committee should be welcome, provided it consisted of persons, who had not been "by name declared traitors by his majesty, and "excepted as such in his declarations or proclamations." The cause of this limitation was as well the former rule his majesty had set down at Shrewsbury, (from whence he thought not fit now to recede, after a battle,) as that he might prevent the lord Say's being sent to him, from whom he could expect no entire and upright dealing.

The next day another letter came from the speaker of the house of peers to the lord Falkland, one of his majesty's principal secretaries, to desire "a safe conduct for the earls of Northumberland "and Pembroke, and four members of the house "of commons, to attend his majesty with their "petition;" which safe conduct was immediately signed by his majesty, excepting only for sir John Evelyn, who was by name excepted in his majesty's proclamation of pardon to the county of Wilts; which proclamation was then sent to them with a signification, "that if they would send any "other person in his place, not subject to the same "exception, he should be received as if his name "were in the safe conduct." Though this was no more than they had cause to look for, yet it gave them opportunity for a time to lay aside the thought of petitioning, as if his majesty had rejected all overtures of peace: "For he might every day "proclaim as many of their members traitors, and "except them from pardon, as he pleased; and "therefore it was to no purpose to prepare petitions, and appoint messengers to present them, "when it was possible those messengers might,

"the hour before, be proclaimed traitors: that to "submit to such a limitation of the king's was, "upon the matter, to consent to and approve the "highest breach of privilege, that had been yet "offered to them."

So that, for some days, all discourse of peace was waved, and all possible preparations for defence and resistance made; for which they had a stronger argument than either of the other, the advancing of their general, the earl of Essex, who was now on his march towards London; and a great fame came before him of the strength and courage of his army; though in truth it was not answerable to the report: however, it served to encourage and inflame those whose fear only inclined them to peace, and to awe the rest. The king, who had every night an account of what was transacted in the houses all day, (what the close committee did, who guided all private designs, was not so soon known,) resolved to quicken them; and advanced with his whole army to Colebrook. This indeed exalted their appetite to peace; for the clamour of the people was importunate, and somewhat humbled their style; for at Colebrook, the 11th of November, his majesty was met by the two earls of Northumberland and Pembroke, with those three of the house of commons whose names were in the safe conduct; they satisfying themselves, that the leaving sir John Evelyn behind them, without bringing another in his room, was no submission to the king's exception: and this petition [was] by them presented to him.

"We your majesty's most loyal subjects, the "lords and commons in parliament assembled, "being affected with a deep and piercing sense of "the miseries of this kingdom, and of the dangers "to your majesty's person, as the present affairs "now stand; and much quickened therein with "the sad consideration of the great effusion of "blood at the late battle, and of the loss of so "many eminent persons; and farther weighing "the addition of loss, misery, and danger to "your majesty, and your kingdom, which must "ensue, if both armies should again join in another battle, as without God's especial blessing, "and your majesty's concurrence with your houses "of parliament, will not probably be avoided: we "cannot but believe that a suitable impression of "tenderness and compassion is wrought in your "majesty's royal heart, being yourself an eyewitness of the bloody and sorrowful destruction of "so many of your subjects; and that your majesty doth apprehend what diminution of your "own power and greatness will follow, and that "all your kingdoms will thereby be so weakened "as to become subject to the attempts of any ill-affected to this state.

"In all which respects we assure ourselves, that "your majesty will be inclined graciously to accept "this our humble petition; that the misery and "desolation of this kingdom may be speedily removed, and prevented. For the effecting whereof, we humbly beseech your majesty to appoint "some convenient place, not far from the city of "London, where your majesty will be pleased to "reside, until committees of both houses of parliament may attend your majesty with some propositions for the removal of these bloody distempers and distractions, and settling the state "of the kingdom in such a manner as may conduce to the preservation of God's true religion,

"your majesty's honour, safety, and prosperity ;  
 "and to the peace, comfort, and security of all  
 "your people."

The king, within two or three hours after the receipt of this petition, delivered to the same messengers this ensuing answer, with which they returned the same night to London.

"We take God to witness, how deeply we are affected with the miseries of this kingdom, which heretofore we have stroven as much as in us lay to prevent ; it being sufficiently known to all the world that, as we were not the first that took up arms, so we have shewed our readiness of composing all things in a fair way, by our several offers of treaty, and shall be glad now at length to find any such inclinations in others. The same tenderness to avoid the destruction of our subjects, (whom we know to be our greatest strength,) which would always make our greatest victories bitter to us, shall make us willingly hearken to such propositions, whereby these bloody distempers may be stopped, and the great distractions of this kingdom settled to God's glory, our honour, and the welfare and flourishing of our people : and to that end shall reside at our own castle at Windsor, (if the forces there shall be removed,) till committees may have time to attend us with the same, (which, to prevent the inconveniences that will intervene, we wish be hastened,) and shall be ready there, or, if that be refused us, at any place where we shall be, to receive such propositions as aforesaid, from both our houses of parliament. Do you your duty, we will not be wanting in ours. God of his mercy give a blessing."

It was then believed by many, that if the king had, as soon as the messengers returned to London, retired with his army to Reading, and there expected the parliament's answer, they would immediately have withdrawn their garrison from Windsor, and delivered that castle to his majesty for his accommodation to have treated in : and without doubt those lords who had been with the petition, and some others who thought themselves as much overshadowed by the greatness of the earl of Essex, and the chief officers of the army, as they could be by the glory of any favourite, or power of any counsellors, were resolved to merit as much as they could of the king, by advancing an honourable peace ; and had it in their purpose to endeavour the giving up of Windsor to the king ; but whether they would have been able to have prevailed that so considerable a strength, in so considerable a place, should have been quitted, whilst there was only hope of a peace, I much doubt. But certainly the king's army carried great terror with it ; and all those reports, which published the weakness of it, grew to be peremptorily disbelieved. For, besides that every day's experience disproved somewhat which was as confidently reported, and it was evident great industry was used to apply such intelligence to the people as was most like to make impression upon the passions and affections of the vulgar-spirited, it could not be believed that a handful of men could have given battle to their formidable army, and, after taking two or three of their garrisons, presume to march within fifteen miles of London : so that, if from thence the king had drawn back again to Reading, relying upon a treaty for the rest, it is

probable his power would have been more valued, and consequently his grace the more magnified. And sure the king resolved to have done so, or at least to have staid at Colebrook, (which was not so convenient,) till he heard again from the parliament. But prince Rupert, exalted with the terror he heard his name gave to the enemy, trusting too much to the vulgar intelligence every man received from his friends at London, who, according to their own passions and the affections of those with whom they corresponded, concluded that the king had so great a party in London, that, if his army drew near, no resistance would be made, and too much neglecting the council of state (which from the first hour the army overmuch inclined to), without any direction from the king, the very next morning after the committee returned to London, advanced with the horse and dragoons to Hounslow, and then sent to the king to desire him that the army might march after ; which was, in that case, of absolute necessity ; for the earl of Essex had a part of his army at Brentford, and the rest at Acton, and Kingston. So that if the king had not advanced with his body, those who were before might very easily have been compassed in, and their retreat [made] very difficult.

So the king marched with his whole army towards Brentford, where were two regiments of their best foot, (for so they were accounted, being those who had eminently behaved themselves at Edge-hill,) having barricaded the narrow avenues to the town, and cast up some little breastworks at the most convenient places. Here a Welsh regiment of the king's, which had been faulty at Edge-hill, recovered its honour, and assaulted the works, and forced the barricades well defended by the enemy. Then the king's forces entered the town after a very warm service, the chief officers and many soldiers of the other side being killed, and took there above five hundred prisoners, eleven colours, and fifteen pieces of cannon, and good store of ammunition. But this victory (for considering the place it might well be called so) proved not at all fortunate to his majesty.

The two houses were so well satisfied with the answer their committee had brought from the king, and with the report they made of his majesty's clemency, and gracious reception of them, that they had sent order to their forces, "that they should not exercise any act of hostility towards the king's forces ;" and, at the same time, despatched a messenger, to acquaint his majesty therewith, and to desire "that there might be the like forbearance on his part." The messenger found both parties engaged at Brentford, and so returned without attending his majesty, who had no apprehension that they intended any cessation ; since those forces were advanced to Brentford, Acton, and Kingston, after their committee was sent to Colebrook. However they looked upon this entering of Brentford as a surprise contrary to faith, and the betraying their forces to a massacre, under the specious pretence of a treaty for peace. The alarm came to London, with the same dire yell as if the army were entered their gates, and the king accused "of treachery, perfidy, and blood ;" and that he had given the spoil and wealth of "the city as pillage to his army, which advanced "with no other purpose."

They who believed nothing of those calumnies, were not yet willing the king should enter the city with an army, which, they knew, would not be governed in so rich quarters; and therefore, with unspeakable expedition, the army under the earl of Essex was not only drawn together, but all the trained bands of London led out in their brightest equipage upon the heath next Brentford; where they had indeed a full army of horse and foot, fit to have decided the title of a crown with an equal adversary. The view and prospect of this strength, which nothing but that sudden exigent could have brought together, (so that army was really raised by king and parliament,) extremely puffed them up; not only as it was an ample security against the present danger, but as it looked like a safe power to encounter any exigent. They had then before their eyes the king's little handful of men, and then began to wonder and blush at their own fears; and all this might be without excess of courage; for without doubt their numbers then, without the advantage of equipage, (which to soldiers is a great addition of mettle,) were five times greater than the king's harassed, weather-beaten, and half-starved troops.

I have heard many knowing men, and some who were then in the city regiments, say, "That if the king had advanced, and charged that massive body, it had presently given ground; and that the king had so great a party in every regiment, that it would have made no resistance." But it had been madness, which no success could have vindicated, to have made that attempt: and the king easily discerned that he had brought himself into straits and difficulties, which would be hardly mastered, and exposed his victorious army to a view, at too near a distance off his two enemies, the parliament and the city. Yet he stood all that day in battalia to receive them, who only played upon him with their cannon, to the loss only of four or five horses, and not one man; that being a good argument to them not to charge the king, which had been an ill one to him to charge them, the constitution of their forces, where there were very many not at all affected to the company they were in.

When the evening drew on, and it appeared that great body stood only for the defence of the city, the king appointed his army to draw off to Kingston, which the rebels had kindly quitted; which they did without the loss of a man; and himself went to his own house at Hampton-court; where he rested the next day, as well to refresh his army, even tired with watching and fasting, as to expect some propositions from the houses. For, upon his advance to Brentford, he had sent a servant of his own, one Mr. White, with a message to the parliament, containing the reasons of that motion, (there being no cessation offered on their part,) and desiring "the propositions might be despatched to him with all speed." But his messenger, being carried to the earl of Essex, was by him used very roughly, and by the houses committed to the Gate-house, not without the motion of some men, "that he might be executed as a spy."

After a day's stay at Hampton-court, the king removed himself to his house at Oatlands, leaving the gross of his army still at Kingston, and thereabouts; but being then informed of the high imputations they had laid upon him; "of breach

"of faith, by his march to Brentford; and that the city was really inflamed with an opinion, that he meant to have surprised them, and to have sacked the town; that they were so possessed with that fear and apprehension, that their care and preparation for their safety would at least keep off all propositions for peace, whilst the army lay so near London;" he gave direction for all his forces to retire to Reading; first discharging all the common soldiers, who had been taken prisoners at Brentford, (except such who voluntarily offered to serve him,) upon their oaths that they would no more bear arms against his majesty.

The king then sent a message to the houses, in which "he took notice of those unjust and unreasonable imputations raised on him; told them again of the reasons and circumstances of his motion towards Brentford; of the earl of Essex's drawing out his forces towards him, and possessing those quarters about him, and almost hemming him in, after the time that the commissioners were sent to him with the petition; that he had never heard of the least overture of the forbearing all acts of hostility, but saw the contrary practised by them by that advance; that he had not the least thought or intention of mastering the city by force, or carrying his army thither: that he wondered to hear his soldiers charged with thirsting after blood, when they took above five hundred prisoners in the very heat of the fight. He told them such were most apt and likely to maintain their power by blood and rapine, who had only got it by oppression and injustice; that his was vested in him by the law, and by that only (if the destructive counsels of others did not hinder such a peace, in which that might once again be the universal rule, and in which only religion and justice could flourish) he desired to maintain it: that he intended to march to such a distance from his city of London, as might take away all pretence of apprehension from his army, that might hinder them from preparing their propositions, in all security, to be presented to him; and there he would be ready to receive them, or, if that expedient pleased them not, to end the pressures and miseries, which his subjects, to his great grief, suffered through this war, by a present battle."

But as the army's being so near London was an argument against a present treaty, so its remove to Reading was a greater with very many not to desire any. The danger, which they had brought themselves for some days together to look upon at their gates, was now to be contemned at the distance of thirty miles; and this retreat imputed only to the fear of their power, not to the inclinations to peace. And therefore they, who during the time that the major part did really desire a good peace, and whilst overtures were preparing to that purpose, had the skill to intermingle acts more destructive to it, than any propositions could be contributory, (as the inviting the Scots to their assistance by that declaration, which is before mentioned; and the publishing a declaration at the same time, which had lain long by them, in reply to one set forth by the king long before in answer to theirs of the 26th of May, in which they used both his person and his power with more irreverence than they had ever done before,) now only insisted on the surprise, as they called it, of Brentford;

[and] published, by the authority of both houses, a relation of the carriage of the king's soldiers in that town after their victory, (which they framed upon the discourses of the country people, who possibly, as it could not be otherwise, had received damage by their license then,) to make the king and his army odious to the kingdom; "as affecting nothing but blood and rapine;" [and] concluded, "that there could not be reasonably expected any good conditions of a tolerable peace from the king, whilst he was in such company; and therefore that all particular propositions were to be resolved into that one, of inviting his majesty to come to them;" and got a vote from the major part of both houses, "that no other thought of accommodation or treaty should be thought on."

Their trusty lord mayor of London, Isaac Pennington, who was again chosen to serve another year, so bestirred himself, having to assist him two such sheriffs, Langham and Andrews, as they could wish, that there was not only no more importunity or interposition from the city for peace; but, instead thereof, an overture and declaration from divers, under the style of well-affected persons, "that they would advance a considerable number of soldiers, for the supply and recruit of the parliament forces; and would arm, maintain, and pay them for several months, or during the times of danger and distractions; provided that they might have the public faith of the kingdom for repayment of all such sums of money, which they should so advance by way of loan." This wonderful kind [of] proposition was presently declared "to be an acceptable service to the king, parliament, and kingdom, and necessarily tending to the preservation of them;" and therefore an ordinance, as they call it, was framed and passed both houses;

"That all such as should furnish men, money, horse, or arms for that service, should have the same fully repaid again, with interest for the forbearance thereof, from the times disbursed. And for the true payment thereof, they did thereby engage to all, and every such person, and persons, the public faith of the kingdom." And ordered the lord mayor, and sheriffs of London, by themselves, or such sub-committees as they should appoint, to take subscriptions, and to intend the advancement of that service. Upon this voluntary, general proposition, made by a few obscure men, probably such who were not able to supply much money, was this ordinance made; and from this ordinance the active mayor, and sheriffs, appointed a committee of such persons whose inclinations they well knew, to press all kind of people, especially those who were not forward, to new subscriptions; and by degrees, from this unconsidered passage, grew the monthly tax of six thousand pounds to be set upon the city for the payment of the army.

As they provided, with this notable circumspection, to raise men and money; so they took not less care, nor used less art and industry, to raise their general; and lest he might suppose himself fallen in their good grace and confidence, by bringing an army back shattered, poor, and discomforted, which he had carried out in full numbers, and glorious equipage, they used him with greater reverence and submission than ever. They had before appointed another distinct army to be raised

under the command of the earl of Warwick, and not subject to the power of the earl of Essex; and of this, several regiments and troops were raised: these they sent to the old army, and the earl of Warwick gave up his commission, upon a resolution, "that there should be only one general, and he, the earl of Essex." Then the two houses passed, and presented, with great solemnity, this declaration to his excellency, the same day that their committee went to the king with their petition:

"That, as they had, upon mature deliberation, and assured confidence in his wisdom, courage, and fidelity, chosen and appointed him their captain-general; so they did find, that the said earl had managed that service, of so high importance, with so much care, valour, and dexterity, as well by the extremest hazard of his life, in a bloody battle near Keinton in Warwickshire, as by all the actions of a most excellent and expert commander, in the whole course of that employment, as did deserve their best acknowledgment: and they did therefore declare, and publish, to the lasting honour of the said earl, the great and acceptable service, which he had therein done to the commonwealth: and should be willing and ready, upon all occasions, to express the due sense they had of his merits, by assuring and protecting him, and all others employed under his command in that service, with their lives and fortunes, to the uttermost of their power: that testimony and declaration to remain upon record, in both houses of parliament, for a mark of honour to his person, name, and family, and for a monument of his singular virtue to posterity."

When they had thus composed their army and their general, they sent this petition to the king to Reading, who staid still there in expectation of their propositions.

"May it please your majesty:

"It is humbly desired by both houses of parliament, that your majesty will be pleased to return to your parliament, with your royal, not your martial, attendance; to the end that religion, laws, and liberties, may be settled and secured by their advice; finding by a sad and late accident, that your majesty is environed by some such counsels, as do rather persuade a desperate division, than a joining and a good agreement with your parliament and people: and we shall be ready to give your majesty assurances of such security, as may be for your honour, and the safety of your royal person."

As soon as the king received this strange address, he returned them by the same messenger a sharp answer. He told them, "he hoped all his good subjects would look upon that message with indignation, as intended, by the contrivers thereof, as a scorn to him; and thereby designed by that malignant party, (of whom he had so often complained, whose safety and ambition was built upon the divisions and ruins of the kingdom, and who had too great an influence upon their actions,) for a wall of separation betwixt his majesty and his people. He said, he had often told them the reasons, why he departed from London; how he was chased thence, and by whom; and as often complained, that the greatest part of his peers, and of the members of the house of commons, could not, with safety to their honours

"and persons, continue, and vote freely among them; but, by violence, and cunning practices, were debarred of those privileges, which their birthrights, and the trust reposed in them by their counties, gave them: that the whole kingdom knew that an army was raised, under pretence of orders of both houses, (an usurpation never before heard of in any age,) which army had pursued his majesty in his own kingdom; given him battle at Keinton; and now, those rebels being recruited, and possessed of the city of London, he was courteously invited to return to his parliament there, that is, to the power of that army.

"That, he said, could signify nothing but that, since the traitorous endeavours of those desperate men could not snatch the crown from his head, it being defended by the providence of God, and the affections and loyalty of his good subjects, he should now tamely come up, and give it them; and put himself, his life, and the lives, liberties, and fortunes of all his good subjects into their merciful hands. He said, he thought not fit to give any other answer to that part of their petition: but as he imputed not that affront to both his houses of parliament, nor to the major part of those who were then present there, but to that dangerous party his majesty and the kingdom must still cry out upon; so he would not (for his good subjects' sake, and out of his most tender sense of their miseries, and the general calamities of the kingdom, which must, if the war continued, speedily overwhelm the whole nation) take advantage of it: but if they would really pursue the course they seemed, by their petition at Colebrook, to be inclined to, he should make good all he then promised; where, by the hearts of his distressed subjects might be raised with the hopes of peace; without which, religion, the laws, and liberties, could by no ways be settled and secured.

"For the late and sad accident they mentioned, if they intended that of Brentford, he desired them once again to deal ingenuously with the people, and to let them see his last message to them, and his declaration concerning the same," (both which his majesty had sent to his press at London, but were taken away from his messenger, and not suffered to be published,) "and then he doubted not, but they would be soon undeceived, and easily find out those counsels, which did rather persuade a desperate division, than a good agreement betwixt his majesty, his two houses, and people."

This answer being delivered, without any farther consideration whether the same were reasonable or not reasonable, they declared "the king had no mind to peace;" and thereupon laid aside all farther debates to that purpose; and ordered their general to march to Windsor with the army, to be so much nearer the king's forces; for the better recruiting whereof, two of their most eminent chaplains, Dr. Downing and Mr. Marshall, publicly avowed, "that the soldiers lately taken prisoners at Brentford, and discharged, and released by the king upon their oaths that they would never again bear arms against him, were not obliged by that oath;" but, by their power, absolved them thereof, and so engaged again those miserable wretches in a second rebellion.

When the king discerned clearly that the ene-

mies to peace had the better of him, and that there was now no farther thought of preparing propositions to be sent to him; after he had seen a line drawn about Reading, which he resolved to keep as a garrison, and the works in a reasonable forwardness, he left sir Arthur Aston, whom he had lately made commissary-general of the horse, (Mr. Wilmot being at the same time constituted lieutenant-general,) governor thereof, with a garrison of above two thousand foot, and a good regiment of horse: and himself with the rest of his army marched to Oxford, where he resolved to rest that winter, settling at the same time a good garrison at Wallingford, a place of great importance within eight miles of Oxford; another at the Brill upon the edge of Buckinghamshire; a third being before settled at Banbury; Abingdon being the head quarters for his horse; and by this means he had all Oxfordshire entire, all Berkshire, but that barren division about Windsor; and from the Brill, and Banbury, a good influence upon Buckinghamshire and Northamptonshire.

The king was hardly settled in his quarters, when he heard that the parliament was fixing a garrison at Marlborough in Wiltshire, a town the most notoriously disaffected of all that county; otherwise, saving the obstinacy and malice of the inhabitants, in the situation of it very unfit for a garrison. Thither the earl of Essex had sent one Ramsey, (a Scotsman, as most of their officers were of that nation,) to be governor; who, with the help of the factious people there, had quickly drawn together five or six hundred men. This place, the king saw, would prove quickly an ill neighbour to him; not only as it was in the heart of a rich county, and so would straiten, and even infect his quarters, (for it was within twenty miles of Oxford,) but as it did cut off his line of communication with the west: and therefore, though it was December, a season, when his tired and almost naked soldiers might expect rest, he sent a strong party of horse, foot, and dragoons, under the command of Mr. Wilmot, the lieutenant-general of his horse, to visit that town; who, coming thither on a Saturday, found the place strongly manned: for, besides the garrison, it being market-day, very many country people came thither to buy and sell, and were all compelled to stay and take arms for the defence of the place; which, for the most part, they were willing to do, and the people peremptory to defend it. Though there was no line about it, yet there were some places of great advantage, upon which they had raised batteries, and planted cannon, and so barricadoed all the avenues, which were through deep narrow lanes, that the horse could do little service.

When the lieutenant-general was, with his party, near the town, he apprehended a fellow, who confessed, upon examination, "that he was a spy, and sent by the governor to bring intelligence of their strength and motion." When all men thought, and the poor fellow himself feared, he should be executed, the lieutenant-general caused his whole party to be ranged in order in the next convenient place, and bid the fellow look well upon them, and observe them, and then bid him return to the town, and tell those that sent him, what he had seen, and withal that he should acquaint the magistrates of the town, "that they should do well to treat with the garrison, to give them leave to submit to the king; that if they did so, the town



"should not receive the least prejudice; but if they compelled him to make his way, and enter the town by force, it would not be in his power to keep his soldiers from taking that which they should win with their blood;" and so dismissed him. This generous act proved of some advantage; for the fellow, transported with having his life given him; and the numbers of the men he had seen, besides his no experience in such sights, being multiplied by his fear, made notable relations of the strength, gallantry, and resolution of the enemy, and of the impossibility of resisting them; which, though it prevailed not with those in authority to yield, yet it strangely abated the hopes and courage of the people. So that when the king's soldiers fell on, after a volley or two, in which much execution was done, they threw down their arms, and run into the town; so that the foot had time to make room for the horse, who were now entered at both ends of the town, yet were not so near an end as they expected; for the streets were in many places barricaded, which were obstinately defended by some soldiers and townsmen, who killed many men out of the windows of the houses; so that, it may be, if they had trusted only to their own strength, without compelling the country men to increase their number, and who being first frightened, and weary, disheartened their companions, that vile place might have cost more blood. Ramsey the governor was himself retired into the church with some officers, and from thence did some hurt; upon this, there being so many killed out of windows, fire was put to the next houses, so that a good part of the town was burned, and then the soldiers entered, doing less execution than could reasonably be expected; but what they spared in blood, they took in pillage, the soldiers inquiring little who were friends or foes.

This was the first garrison taken on either side; (for I cannot call Farnham castle in Surrey one, whither some gentlemen who were willing to appear for the king had repaired, and were taken with less resistance than was fit, by sir William Waller, some few days before, and before it deserved the name of a garrison;) in which were taken, besides the governor, and other officers, who yielded upon quarter, above one thousand prisoners; great store of arms, four pieces of cannon, and a good quantity of ammunition, with all which the lieutenant-general returned safe to Oxford: though this victory was a little shadowed, by the unfortunate loss of a very good regiment of horse within a few days after; for the lord Grandison, by the miscarriage of orders, was exposed, at too great a distance from the army, with his single regiment of horse consisting of three hundred horse, and a regiment of two hundred dragoons, to the unequal encounter of a party of the enemy of five thousand horse and dragoons; and so was himself, after a retreat made to Winchester, there taken with all his party; which was the first loss [of that kind] the king sustained; and was without the least fault of the commander; who lessened the misfortune much by his making an escape himself with two or three of his principal officers, who were very welcome to Oxford.

The first thing the king applied himself to consult upon, after he was settled in his winter quarters, and despaired of any honest overtures for a peace, was, how to apply some antidote to that poison, which was sent into Scotland, in that de-

claration we mentioned before; the which he had not only seen, as an act communicated abroad and in many hands, but the Scottish earl of Lindsey, who was then a commissioner lieger at London for Scotland, had presented [it] to him. And there was every day some motion in the house of commons to press the Scots, to invade the kingdom for their assistance, upon the growth of the earl of Newcastle's power in the north. And therefore, after full thoughts, the king writ to his privy-council of Scotland, (who, by the laws enacted when he was last there, had the absolute, indeed regal, power of that kingdom,) and took notice of that declaration, which had been sent to them, earnestly inviting, and in a manner challenging assistance from that his native kingdom of men and arms, for making a war against him, and making claim to that assistance by virtue of the late act of pacification.

He told them, "that, as he was at his soul afflicted, that it had been in the power of any factious, ambitious, and malicious persons, so far to possess the hearts of many of his subjects of England, as to raise this miserable distemper and distraction in this kingdom against all his real endeavours and actions to the contrary; so he was glad, that that rage and fury had so far transported them, that they applied themselves, in so gross a manner, to his subjects of Scotland; whose experience of his religion, justice, and love of his people, would not suffer them to believe those horrid scandals, laid upon his majesty: and their affection, loyalty, and jealousy of his honour, would disdain to be made instruments to oppress their native sovereign, by assisting an odious rebellion." He remembered them, "that he had from time to time acquainted his subjects of that kingdom with the accidents and circumstances which had disquieted this; how, after all the acts of justice, grace, and favour, performed on his part, which were or could be desired to make a people completely happy, he was driven, by the force and violence of rude and tumultuous assemblies, from his city of London, and his houses of parliament; how attempts had been made to impose laws upon his subjects, without his consent, and contrary to the foundation and constitution of the kingdom; how his forts, goods, and navy, had been seized, and taken from him by force, and employed against him; his revenue, and ordinary subsistence, wrested from him: how he had been pursued with scandalous and reproachful language; bold, false, and seditious pasquils, and libels, publicly allowed against him; and had been told that he might, without want of modesty and duty, be deposed: that after all this, before any force raised by him, an army was raised, and a general appointed to lead that army against his majesty, with a commission to kill, slay, and destroy all such who should be faithful to him: that when he had been, by these means, compelled, with the assistance of his good subjects, to raise an army for his necessary defence, he had sent divers gracious messages, earnestly desiring that the calamities and miseries of a civil war might be prevented by a treaty; and so he might know the grounds of that misunderstanding: that he was absolutely refused to be treated with, and the army, (raised, as was pretended, for the defence of his person,)



"brought into the field against him, gave him battle; and, though it pleased God to give his majesty the victory, destroyed many of his good subjects, with as eminent danger to his own person, and his children, as the skill and malice of desperate rebels could contrive.

"Of all which, and the other indignities, which had been offered to him, he doubted not the duty and affection of his Scottish subjects would have so just a resentment, that they would express to the world the sense they had of his sufferings: and he hoped, his good subjects of Scotland were not so great strangers to the affairs of this kingdom, to believe that this misfortune and distraction was begot and brought upon him by his two houses of parliament; though, in truth, no unwarrantable action against the law could be justified even by that authority; but that they well knew how the members of both houses had been driven thence, insomuch that, of above five hundred members of the house of commons, there were not then there above fourscore; and, of above one hundred of the house of peers, not above fifteen or sixteen; all which were so awed by a multitude of anabaptists, Brownists, and other persons, desperate, and decayed in their fortunes, in and about the city of London, that, in truth, their consultations had not the freedom and privilege which belong to parliament.

"Concerning any commissions granted by his majesty to papists to raise forces, he referred them to a declaration, lately set forth by him upon the occasion of that scandal, which he likewise then sent them. And for his own true and zealous affection to the protestant religion, he would give no other instance than his own constant practice, on which malice itself could lay no blemish; and those many protestations he had made in the sight of Almighty God, to whom he knew he should be dearly accountable, if he failed in the observation.

"For that scandalous imputation of his intention of bringing in foreign force, as the same was raised without the least shadow or colour of reason, and solemnly disavowed by his majesty, in many of his declarations; so there could not be a clearer argument to his subjects of Scotland that he had no such thought, than that he had hitherto forborne to require the assistance of that his native kingdom; from whose obedience, duty, and affection, he should confidently expect it, if he thought his own strength here too weak to preserve him; and of whose courage and loyalty he should look to make use, before he should think of any foreign aid to succour him. And he knew no reasonable or understanding man could suppose that they were obliged, or enabled, by the late act of parliament in both kingdoms, to obey the invitation that was made to them by that declaration, when it was so evidently provided for by that act, that as the kingdom of England should not war against the kingdom of Scotland, without consent of the parliament of England, so the kingdom of Scotland should not make war against the kingdom of England without the consent of the parliament of Scotland."

He told them, "if the grave counsel and advice, which they had given, and derived to the houses of parliament here, by their act of the 22d of

"April last, had been followed in a tender care of his royal person, and of his princely greatness and authority, there would not that face of confusion have appeared, which now threatened this kingdom: and therefore he required them to communicate what he then writ to all his subjects of that kingdom, and to use their utmost endeavours to inform them of the truth of his condition; and that they suffered not the scandals and imputations laid on his majesty by the malice and treason of some men, to make any impression in the minds of his people, to the lessening or corrupting their affections and loyalty to him; but that they assured them all, that the hardness he then underwent, and the arms he had been compelled to take up, were for the defence of his person and safety of his life; for the maintenance of the true protestant religion, for the preservation of the laws, liberties, and constitution of the kingdom, and for the just privileges of parliament; and that he looked no longer for a blessing from heaven, than he endeavoured the defence and advancement of all these: and, he could not doubt, a dutiful concurrence in his subjects of Scotland, in the care of his honour, and just rights, would draw down a blessing upon that nation too."

Though his majesty well knew all the persons, to whom he directed this letter, to be those who were only able and willing to do him all possible disservice, yet he was sure by other instruments, if they neglected, which, for that reason, they were not like to do, to publish it to the people there; which he believed might so far operate upon them, as the others would not be able to procure them to invade England; and other fruit of their allegiance he expected not, than that they should not rebel.

His majesty's next care was the procuring money for the payment of his army; that the narrow circuit which contained his quarters might not be so intolerably oppressed with that whole burden. And this was a very difficult matter; for the soldiery already grew very high, and would obey no orders or rules but of their own making; and prince Rupert considered only the subsistence, and advance of the horse, as his province, and indeed as if it had been a province apart from the army; and therefore would by no means endure that the great contributions, which the counties within command willingly submitted to, should be assigned to any other use than the support of the horse, and to be immediately collected, and received by the officers. So that the several garrisons, and all the body of foot, were to be constantly paid, and his majesty's weekly expense for his house borne, out of such money as could be borrowed. For, of all his own revenue, he had not yet the receiving a penny within his power; neither did he think fit to compel any one, even such who were known to have contributed freely to the parliament, to supply him: only by letters, and all other gentle ways, he invited those who were able, to consider how much their own security and prosperity was concerned, and depended upon the preservation of his rights; and offered to sell any of his lands, or to give any personal security for whatsoever money would be lent to him at interest: for he had directed a grant to be prepared of several parks, and forests, and other crown-lands, to many persons of honour and great fortune about him, whose estates and reputa-

tion were well known; who were ready to be personally bound for whatsoever sums could be borrowed.

The affection of the university of Oxford was most eminent: for, as they had before, when the troubles first broke out, sent the king above ten thousand pounds out of the several stocks of the colleges, and the purses of particular persons, many whereof lent him all they had; so they now again made him a new present. By these means, and the loan of particular persons, especially from London, (for from thence, notwithstanding all the strict watch to the contrary, considerable sums were drawn,) the king, even above his hopes, was able to pay his foot, albeit it amounted to above three thousand pounds weekly, in such manner, that during that whole winter there was not the least disorder for want of pay. Then he used all possible care to encourage and countenance new levies of horse and foot, for the recruiting his army against the next spring.

The [parliament's] army being now about London, the members of it who were members of parliament attended that council diligently, upon which the army alone depended; and, though they still seemed very desirous of peace, they very solemnly and severely prosecuted all those who really endeavoured it. Their partiality and injustice was so notorious, that there was no rule or measure of right in any matter depending before them, but consideration only of the affections and opinions of the persons contending; neither could any thing be more properly said of them, than what Tacitus once spoke of the Jews, *apud ipsos fides obstinata, misericordia in promptu, adversus omnes alios hostile odium*. Volumes would not contain the instances. But they found the old arguments of popery, the militia, and delinquents, for the justification of the war, grew every day of less reverence with the people; and that as the king's own religion was above any scandal they could lay upon it, so the regal power seemed so asserted by law, and the king, on all occasions, cited particular statutes for the vindication of his right, that whilst they confessed the sovereign power to be vested in him, all legal ministers had that dependence on him, that their authority would by degrees grow into contempt.

And of this disadvantage the season of the year put them in mind: for the king now, according to course, pricked sheriffs, and made such choice in all counties, that they foresaw the people were not like to be so implicitly at their disposal. Therefore, as they had before craftily insinuated the same in some particulars, they now barefaced avow, "that the sovereign power was wholly and entirely, in them; and that the king himself, severed from them, had no regal power in him." Their clergy had hitherto been their champions, and wrested the scripture to their sense; their lawyers were now to vindicate their title, and they were not more modest in applying their profession to their service. As all places of scripture, or in the fathers, which were spoken of the church of Christ, are by the papists applied to the church of Rome; so whatsoever is written in any of the books of the law, or mentioned in the records, of the authority and effects of the sovereign power, and of the dignity and jurisdiction of parliament, was, by these men, alleged and urged for the power of the two houses, and sometimes for the single authority of the house of commons. Being sup-

plied with the learning of these gentlemen, they declared, that "the sheriffs, then constituted by the king, were not legal sheriffs, nor ought to execute, or be submitted to in that office;" and ordered, "whomsoever the king made sheriff in any county, to be sent for as a delinquent;" and because it seemed unreasonable, that the counties should be without that legal minister, to whom the law had intrusted its custody, it was proposed, "that they might make a new great seal, and by that authority make sheriffs, and such other officers as they should find necessary;" but for the present that motion was laid aside.

The king had appointed some of those prisoners who were taken in the battle of Keinton-field, and others apprehended in the act of rebellion, to be indicted of high treason, upon the statute of the 25th year of king Edward the Third, before the lord chief justice, and other learned judges of the law, by virtue of his majesty's commission of oyer and terminer: they declared "all such indictments, and all proceedings thereupon, to be unjust and illegal;" and inhibited the judges to proceed farther therein; declaring, (which was a stronger argument,) "that if any man were executed, or suffered hurt, for any thing he had done by their order, the like punishment should be inflicted, by death or otherwise, upon such prisoners as were, or should be, taken by their forces:" and in none of these cases ever asked the judges what the law was. By the determination of the statute, and the king's refusal, which hath been mentioned before, to pass any new law to that purpose, there was no farther duty of tonnage and poundage due upon merchandise, and the statute made this very parliament involved all men in the guilt and penalty of a præmunire, who offered to receive it. The king published a proclamation upon that statute, "and required all men to forbear paying that duty, and forbid all to receive it." They again declared, "that no person, who received those duties by virtue of their orders, was within the danger of a præmunire, or any other penalty whatsoever; because the intent and meaning of that penal clause was only to restrain the crown from imposing any duty or payment upon the subjects, without their consent in parliament; and was not intended to extend to any case whereunto the lords and commons give their assent in parliament."

And that this sovereignty might be farther taken notice of than within the limits of this kingdom, they sent, with all formality, letters of credence, and instructions, and their agents, into foreign states and kingdoms.

By their agent to the United Provinces, where the queen was then residing, they had the courage, in plain terms, to accuse the prince of Orange "for supplying the king with arms and ammunition; for licensing divers commanders, officers, and soldiers, to resort into this kingdom to his aid." They remembered them "of the great help that they had received from this kingdom, when heretofore they lay under the heavy oppression of their princes; and how conducive the friendship of this nation had been to their present greatness and power; and therefore they could not think, that they would be forward to help to make them slaves, who had been so useful, and assistant in making them free men; or that they would forget, that their troubles and dangers issued from the same fountain with their own;

"and that those who were set awork to undermine religion and liberty in the kingdom, were the same who by open force did seek to bereave them of both." They told them, "it could not be unknown to that wise state, that it was the jesuitical faction in this kingdom, that had corrupted the counsels of the king, the consciences of a great part of the clergy; which sought to destroy the parliament, and had raised the rebellion in Ireland." They desired them therefore, "not to suffer any more ordnance, armour, or any other warlike provision, to be brought over to strengthen those, who, as soon as they should prevail against the parliament, would use that strength to the ruin of those from whom they had it."

They desired them, "they would not send over any of their countrymen to further their destruction, who were sent to them for their preservation; that they would not anticipate the spilling of English blood, in an unnatural civil war, which had been so cheerfully and plentifully hazarded, and spent, in that just and honourable war by which they had been so long preserved, and to which the blood of those persons, and many other subjects of this kingdom, was still in a manner dedicated; but rather that they would cashier, and discard from their employment, those that would presume to come over for that purpose." They told them, "the question between his majesty and the parliament was not whether he should enjoy the same prerogative and power, which had belonged to their former kings, his majesty's royal predecessors; but whether that prerogative and power should be employed to their defence, or to their ruin; that it could not be denied by those, who look indifferently on their proceedings and affairs, that it would be more honour and wealth, safety and greatness to his majesty, in concurring with his parliament, than in the course in which he now is: but so unhappy had his majesty and the kingdom been, in those who had the greatest influence upon his counsels, that they looked more upon the prevailing of their own party, than upon any those great advantages, both to his crown and royal person, which he might obtain by joining with his people: and so cunning were those factors for popery, in prosecution of their own aims, that they could put on a counterfeit visage of honour, peace, and greatness, upon those courses and counsels, which had no truth and reality, but of weakness, dishonour, and miseries to his majesty, and the whole kingdom."

They said, "they had lately expressed their earnest inclinations to that national love and amity with the United Provinces, which had been nourished and confirmed by so many civil respects, and mutual interests, as made it so natural to them, that they had, this parliament, in their humble petition, desired, that they might be joined with that state in a more near and strait league and union: and they could not but expect some returns from them, of the like expressions; and that they would be [so] far from blowing the fire, which began to kindle among them, that they would rather endeavour to quench it, by strengthening and encouraging them who had no other design but not to be destroyed, and to preserve their religion, save themselves, and the other reformed churches of Christendom,

"from the massacres and extirpations, with which the principles of the Roman religion did threaten them all; which were begun to be acted in Ireland, and in the hopes, and endeavours, and intentions of that party had long since been executed upon them, if the mercy, favour, and blessing of Almighty God had not superabounded, and prevented the subtilty and malignity of cruel, wicked, and bloodthirsty men."

With this specious despatch, in which were many other particulars to render the king's cause ungracious, and their own very plausible, their agent, one Strickland, an obscure gentleman, was received by the States; and, notwithstanding the queen was then there, and the prince of Orange visibly inclined to assist the king with all his interests, and the interposition of the king's resident, did not only hinder the States from giving the least countenance to the king's cause, but really so corrupted the English in the army, and in the court, that there was nothing designed to advance it by the prince of Orange himself, (who with great generosity supplied the king with arms and ammunition to a very considerable value,) or by the private activity and dexterity of particular persons, out of their own fortune, or by the sale or pawning of jewels, but intelligence was given soon enough to the parliament, either to get stops, and seizures upon it, by order of the state, or to intercept the supply by their navy at sea. So that much more was in that manner, and by that means, taken and intercepted at sea, than ever arrived at any port within his majesty's obedience: of which at that time he had only one, the harbour of Newcastle. With the same success they sent another agent to Brussels, who prevailed with don Francisco de Melos, then governor of Flanders, to discountenance always, and sometimes to prevent, the preparations which were there making by the king's ministers. And in France they had another agent, one Aulger, a man long before in the constant pay of the crown; who, though he was not received, and avowed, (to put the better varnish upon their professions to the king,) by that crown, did them more service than either of the other; by how much more that people had an influence upon the distempers of the three kingdoms.

And as the parliament made all these addresses to foreign states and princes, which no parliament had ever done before, so it will be fit here to take notice how other princes appeared concerned on the king's behalf. The Spaniard was sufficiently incensed by the king's reception of the ambassadors of Portugal, and, which was more, entering into terms of amity and league with that crown, and had therefore contributed notable assistance to the rebellion in Ireland, and sent both arms and money thither. And since the extravagances of this parliament, the ambassador of that king had made great application to them.

The French, according to their nature, were much more active, and more intent upon blowing the fire. The former commotions in Scotland had been raised by the special encouragement, if not contrivance, of the cardinal Richelieu; who had carefully kept up and enlarged the old franchises of the Scots under that crown; which made a very specious show of wonderful grace and benefit, at a distance, to that nation, and was of little burden to the French; and, in truth, of little advantage to those who were in full possession of all those rela-

tions. Yet, by this means, the French have always had a very great influence upon the affections of that people, and opportunities to work great prejudice to that crown: as nothing was more visible than that, by that cardinal's activity, all those late distempers in Scotland were carried on till his death, and, by his rules and principles, afterwards: the French ministers always making their correspondence with, and relation to those who were taken notice to be of the puritan party; which was understood to be in order only to the opposition of those counsels, which should at any time be offered on the behalf of Spain.

Since the beginning of this parliament, the French ambassador, monsieur la Ferté, dissembled not to have notable familiarity with those who governed most in the two houses; discovered to them whatsoever he knew, or could reasonably devise to the prejudice of the king's counsels and resolutions; and took all opportunities to lessen and undervalue the king's regal power, by applying himself on public occasions of state, and in his master's name, and to improve his interest, to the two houses of parliament, (which had in no age before been ever known,) as in the business of transportation of men out of Ireland, before remembered; in which he caused, by the importunity of the two houses, his majesty's promise and engagement to the Spanish ambassador to be rendered of no effect. And, after that, he formally exhibited, in writing, a complaint to the two houses against sir Thomas Rowe, his majesty's extraordinary ambassador to the emperor, and princes of Germany, upon the treaty of an accommodation on the behalf of the prince elector and restitution of the palatinate, confidently avowing, "that sir Thomas Rowe had offered, on the king's part, to enter into a league offensive and defensive with the house of Austria, and to wed all their interests;" and, in plain terms, asked them, "whether they had given him instructions to that purpose?" expressing a great value his master had of the affection of the parliament of England; which drew them to a return of much and unusual civility, and to assure the French king, "that sir Thomas Rowe had no such instructions from them; and that they would examine the truth of it; and would be careful that nothing should be done and perfected in that treaty, which might reflect upon the good of the French king." Whereas in truth there was not the least ground or pretence for that suggestion; sir Thomas Rowe having never made any such offer, or any thing like it. And when, after his return out of Germany, he expostulated with the French ambassador, for such an injurious, causeless information, he answered, "that since his master had received such advertisement, and had given him order to do what he did." So that it easily appeared, it was only a fiction of state, whereby they took occasion to publish, that they would on any occasion resort to the two houses, and thereby to flatter them in their usurpation of any sovereign authority.

There is not a sadder consideration (and I pray God the almighty justice be not angry with, and weary of the government of kings and princes, for it is a strange declension monarchy is fallen to, in the opinion of the common people within these late years) than this passion and injustice, in Christian princes, that they are not so solicitous that the laws be executed, justice administered, and order

preserved within their own kingdoms, as they are that all three may be disturbed and confounded amongst their neighbours. And therefore there is no sooner a spark of dissension, a discomposure in affections, a jealousy in understandings, discerned to be in or to be easy to be infused into a neighbour province, or kingdom, to the hazarding of the peace thereof, but they, though in league and amity, with their utmost art and industry, make it their business to kindle that spark into a flame, and to contract and ripen all unsettled humours, and jealous apprehensions, into a peremptory discontent, and all discontent to sedition, and all sedition to open and professed rebellion. And they have never so ample satisfaction in their own greatness, or so great a sense and value of God's blessing upon them, as when they have been instruments of drawing some notorious calamity upon their neighbours. As if the religion of princes were nothing but policy, enough to make all other kingdoms but their own miserable: and that, because God hath reserved them to be tried only within his own jurisdiction, and before his own tribunal, that he means to try them too by other laws, and rules, than he hath published to the world for his servants to walk by. Whereas they ought to consider, that God hath placed them over his people as examples, and to give countenance to his laws by their own strict observation of them; and that as their subjects are to be defended and protected by them, so themselves are to be assisted and supported by one another; the function of kings being a classis by itself: and as a contempt and breach of every law is, in the policy of states, an offence against the person of the king, because there is a kind of violence offered to his person in the transgression of that rule without which he cannot govern; so the rebellion of subjects against their prince ought to be looked upon, by all other kings, as an assault of their own sovereignty, and a design against monarchy itself; and consequently to be suppressed, and extirpated, in what other kingdom soever it is, with the same concernment as if it were in their own bowels.

Besides these indirect artifices, and activity in the French ambassador, the Hugonots in France (with whom this crown heretofore, it may be, kept too much correspondence) were declared enemies to the king; and, in public and in secret, gave all possible assistance to those whose business was to destroy the church. And as this animosity proved of unspeakable inconvenience and damage to the king, throughout all these troubles, and of equal benefit to his enemies; so the occasion, from whence those disaffections grew, was very unskillfully and imprudently administered by the state here. Not to speak of the business of Rochelle, which, though it stuck deep in all, yet most imputed the counsels of that time to men that were dead, and not to a fixed design of the court; but they had a greater quarrel, which made them believe, that their very religion was persecuted by the church of England.

When the reformation of religion first began in England, in the time of king Edward the Sixth, very many, out of Germany and France, left their countries, where the reformation was severely persecuted, and transplanted themselves, their families, and estates, into England, where they were received very hospitably; and that king, with great piety and policy, by several acts of state, granted them

many indemnities, and the free use of churches in London for the exercise of their religion : whereby the number of them increased ; and the benefit to the kingdom, by such an access of trade, and improvement of manufactures, was very considerable. The which queen Elizabeth finding, and well knowing that other notable uses of them might be made, enlarged their privileges by new concessions ; drawing, by all means, greater numbers over, and suffering them to erect churches, and to enjoy the exercise of their religion after their own manner, and according to their own ceremonies, in all places, where, for the conveniency of their trade, they chose to reside. And so they had churches in Norwich, Canterbury, and other places of the kingdom, as well as in London ; whereby the wealth of those places marvellously increased. And, besides the benefit from thence, the queen made use of them in her great transactions of state in France, and the Low Countries, and, by the mediation and interposition of those people, kept an useful interest in that party, in all the foreign dominions where they were tolerated. The same charters of liberty were continued and granted to them, during the peaceable reign of king James, and in the beginning of this king's reign, although, it may be, the politic considerations in those concessions, and connivances, were neither made use of, nor understood.

Some few years before these troubles, when the power of churchmen grew more transcendent, and indeed the faculties and understandings of the lay-counsellors more dull, lazy, and unactive, (for, without the last, the first could have done no hurt,) the bishops grew jealous that the countenancing another discipline of the church here, by order of the state, (for those foreign congregations were governed by a presbytery, according to the custom and constitution of those parts of which they had been natives : for the French, Dutch, and Walloons had the free use of several churches according to their own discipline,) would at least diminish the reputation and dignity of the episcopal government, and give some hope and countenance to the factious and schismatical party in England to hope for such a toleration.

Then there wanted not some fiery, turbulent, and contentious persons of the same congregations, who, upon private differences and contests, were ready to inform against their brethren, and to discover what, they thought, might prove of most prejudice to them ; so that, upon pretence that they far exceeded the liberties which were granted to them, and that, under the notion of foreigners, many English separated themselves from the church, and joined themselves to those congregations, (which possibly was in part true,) the council-board connived, or interposed not, [whilst] the bishops did some acts of restraint, with which that tribe grew generally discontented, and thought the liberty of their consciences to be taken from them ; and so in London there was much complaining of this kind, but much more in the diocese of Norwich ; where Dr. Wren, the bishop there, passionately and furiously proceeded against them : so that many left the kingdom, to the lessening the wealthy manufacture there of kerseys, and narrow cloths, and, which was worse, transporting that mystery into foreign parts.

And, that this might be sure to look like more than what was necessary to the civil policy of the

kingdom, whereas, in all former times, the ambassadors, and all foreign ministers of state, employed from England into any parts where the reformed religion was exercised, frequented their churches, gave all possible countenance to their profession, and held correspondence with the most active and powerful persons of that relation, and particularly the ambassador lieger at Paris from the time of the reformation had diligently and constantly frequented the church at Charenton, and held a fair intercourse with those of that religion throughout the kingdom, by which they had still received advantage, that people being industrious and active to get into the secrets of the state, and so deriving all necessary intelligence to those whom they desired to gratify : the contrary whereof was now with great industry practised, and some advertisements, if not instructions, given to the ambassadors there, "to forbear any extraordinary commerce " with that tribe." And the lord Scudamore, who was the last ordinary ambassador there, before the beginning of this parliament, whether by the inclination of his own nature, or by advice from others, not only declined going to Charenton, but furnished his own chapel, in his house, with such ornaments, (as candles upon the communion-table, and the like,) as gave great offence and umbrage to those of the reformation, who had not seen the like : besides that he was careful to publish, upon all occasions, by himself, and those who had the nearest relation to him, "that the church of England looked not on the Hugonots as a part of " their communion ;" which was likewise too much and too industriously discoursed at home.

They who committed the greatest errors this way, had, no doubt, the least thoughts of making any alterations in the church of England, as hath been uncharitably conceived : but (having too just cause given them to dislike the passion, and license, that was taken by some persons in the reformed churches, under the notion of conscience and religion, to the disturbance of the peace of kingdoms) unskilfully believed, that the total declining the interest of that party, where it exceeded the necessary bounds of reformation, would make this church of England looked upon with more reverence ; and that thereby the common adversary, the papist, would abate somewhat of his arrogance and superciliousness ; and so all parties, piously considering the charity which religion should beget, might, if not unite, yet refrain from the bitterness and uncharitableness of contention in matters of opinion, severed from the practical duties of Christians and subjects. And so, contracting their considerations in too narrow a compass, [these men] contented themselves with their pious intentions, without duly weighing objections, or the circumstances of policy. And they who differed with them in opinion in this point, though they were in the right, not giving, and, it may be, not knowing the right reasons, rather confirmed than reformed them in their inclinations : neither of them discerning the true and substantial grounds of policy, upon which those conclusions had been founded, which they were now about to change : and so the church of England, not giving the same countenance to those of the religion in foreign parts, which it had formerly done, no sooner was discerned to be under a cloud at home, but those of the religion abroad were glad of the occasion to publish their malice against her, and to enter into the same conspiracy against the

crown, without which they could have done little hurt to the church.

After all discourses and motions for peace were, for a time, laid aside; and new thoughts of victory, and utterly subduing the king's party, again entertained; they found one trouble falling upon them, which they had least suspected, want of money; all their vast sums collected, upon any former bills, passed by the king for the relief of Ireland, and payment of the debt to the Scots, and all their money upon subscriptions of plate, and loans upon the public faith, which amounted to incredible proportions, were even quite wasted; and their constant expense was so great, that no ordinary supply would serve their turn; and they easily discerned, that their money only, and not their cause, procured them soldiers of all kinds; and that they could never support their power, if their power was not able to supply them. All voluntary loans were at an end, and the public faith thought a security not to be relied on; by how much greater the difficulty was, by so much the more fatal would the sinking under it prove; and therefore it was with the more vigour to be resisted. In the end, they resolved upon the full execution of their full sovereign power, and to let the people see what they might trust to; in which it is necessary to observe the arts and degrees of their motion.

They first ordered, "that committees should be named in all counties, to take care for provisions of victuals for the army, and also for the taking up of horses for service in the field, dragoons and draught horses, and for borrowing of money and plate to supply the army: and upon certificate from these committees," (who had power to set what value or rates they pleased upon these provisions of any kind,) "the same should be entered with their treasurer, who should hereafter repay the same." It was then alleged, "that this would only draw supplies from their friends, and the well affected; and that others, who either liked not their proceedings, or loved their money better than the liberty of their country, would not contribute." Upon this it was ordered, "that in case the owners refused to bring in money, provisions, plate, and horse, upon the public faith, for the use of the army; for the better preventing the spoil, and embezzling of such provisions of money, plate, and horses, by the disorder of the soldiers, and that they may not come into the hands of the enemies, that the committees, or any two of them, should be authorized, and enabled to send for such provisions, money, plate, and horses; and to take the same into their custody, and to set indifferent value and rate upon them; which value they should certify to the treasurers, for the proportions to be repaid at such time, and in such manner, as should be ordered by both houses of parliament."

This was done only to shew what they meant to do over all England, and as a stock of credit to them. For at present it would neither supply their wants; neither was it seasonable for them, or indeed possible to endeavour the execution of it in many counties. London was the place from whence only their present help must come. To them therefore they declared, "that the king's army had made divers assessments upon several counties, and the subjects were compelled, by the soldiers,

"to pay the same; which army, if it continued, would soon ruin and waste the whole kingdom; and overthrow religion, law, and liberty: that there was no probable way, under God, for the suppressing that army, and other ill affected persons, but by the army raised by the authority of the parliament; which army could not be maintained, without great sums of money; and for raising such sums, there could be no act of parliament passed with his majesty's assent, albeit there was great justice that such money should be raised: that, hitherto, the army had been, for the most part, maintained by the voluntary contributions of well affected people, who had freely contributed according to their abilities: that there were divers others within the cities of London and Westminster, and the suburbs, that had not contributed at all towards the maintenance of that army, or if they had, yet not answerable to their estates; who notwithstanding received benefit and protection by the same army, as well as any others; and therefore it was most just, that they should, as well as others, be charged to contribute to the maintenance thereof."

Upon these grounds and reasons, it was ordained, "by the authority of parliament, that Isaac Pennington, the then lord mayor of London, and some other aldermen, and citizens, or any four of them, should have power and authority to nominate, and appoint, in every ward, within the city of London, six such persons as they should think fit, who should have power to inquire of all who had not contributed upon the propositions concerning the raising of money, plate, &c. and of such able men who had contributed, yet not according to their estates and abilities; and those persons so substituted, or any four of them, within their several wards and limits, should have power to assess all persons of ability who had not contributed, and also those who had contributed, yet not according to their ability, to pay such sums of money, according to their estates, as the assessors, or any four of them, should think reasonable, so as the same exceeded not the twentieth part of their estates; and to nominate fit persons for the collection thereof. And if any person so assessed should refuse to pay the money so assessed upon him, it should be lawful for the assessors and collectors to levy that sum by way of distress, and sale of the goods of persons so refusing. And if any person distrained should make resistance, it should be lawful for the assessors and collectors to call to their assistance any of the trained bands of London, or any other his majesty's subjects; who were required to be aiding and assisting to them. And the burgesses of Westminster and Southwark, and a committee appointed to that purpose, were to do the same within those limits, as the other in London."

And that there might be no stratagem to avoid this tax, (so strange and unlooked for,) by a second ordinance in explanation of the former, they ordained, "that, if no sufficient distress could be found for the payment of what should be assessed, the collectors should have power to inquire of any sum of money due to those persons so assessed, from what persons soever, for rents, goods, or debts, or for any other thing or cause whatsoever. And the collectors had power to

"receive all such debts, until the full value of the sums so assessed, and the charges in levying or recovering the same, should be satisfied: and lest the discovery of those debts might be difficult, the same collectors had power to compound for any rents, goods, or debts, due to such persons so assessed, with any person by whom the same was due, and to give full discharges for the money so compounded for, which should be good and effectual to all purposes. And if the money assessed could not be levied by any of these ways, then the persons assessed should be imprisoned in such places of the kingdom, and for so long time, as the committee of the house of commons for examination should appoint, and order; and the families of all such persons so imprisoned should no longer remain within the cities of London or Westminster, the suburbs, or the counties adjacent. And all assessors and collectors should have the protection of both houses of parliament, for their indemnity in that service, and receive allowance for their pains and charges." Several additional and explanatory orders they made for the better execution of this grand one, by every of which some clause of severity, and monstrous irregularity, was added; and, for the complement of all, they ordered that themselves, the members of either house, should not be assessed by any body.

The truth is, the king was not sorry to see this ordinance, which he thought so prodigious, that he should have been a greater gainer by it than they that made it; which he thought was so palpable and clear a demonstration of the tyranny the people were to live under, that they would easily have discerned the change of their condition: yet he took so much pains, to awaken his subjects to a due apprehension of it, and to apply the thorough consideration of it to them, that he published a declaration upon that ordinance; the which, presenting many things to them, which have since fallen out, may be, in this place, fit to be inserted in the king's own words, which were these:

"It would not be believed, (at least great pains have been taken that it might not,) that the pretended ordinance of the militia, (the first attempt that ever was, to make a law by ordinance, without our consent,) or the keeping us out of Hull, and taking our arms and ammunition from us, could any way concern the interest, property, or liberty of the subject: and it was confessed, by that desperate declaration itself of the 26th of May, that if they were found guilty of that charge of destroying the title and interest of our subjects to their lands and goods, it were indeed a very great crime. But it was a strange fatal lethargy which had seized our good people, and kept them from discerning that the nobility, gentry, and commonalty of England were not only stripped of their preeminences and privileges, but of their liberties and estates, when our just rights were denied us; and that no subject could from thenceforth expect to dwell at home, when we were driven from our houses and our towns. It was not possible, that a commission could be granted to the earl of Essex, to raise an army against us, and, for the safety of our person, and preservation of the peace of the kingdom, to pursue, kill, and slay us, and all who wish well to us,

"but that, in a short time, inferior commanders, by the same authority, would require our good subjects, for the maintenance of the property of the subject, to supply them with such sums of money as they think fit, upon the penalty of being plundered with all extremity of war, (as the title of sir Edward Bainton's warrant runs, against our poor subjects in Wiltshire,) and by such rules of unlimited arbitrary power as are inconsistent with the least pretence or shadow of that property, it would seem to defend.

"If there could be yet any understanding so unskilful and supine to believe, that these disturbers of the public peace do intend any thing but a general confusion, they have brought them a sad argument to their own doors to convince them. After this ordinance and declaration, it is not in any sober man's power to believe himself to be worth any thing, or that there is such a thing as law, liberty, or property, left in England, under the jurisdiction of these men. And the same power that robs them now of the twentieth part of their estates, hath, by that, but made a claim, and entitled itself to the other nineteen, when it shall be thought fit to hasten the general ruin. Sure, if the minds of all men be not stubbornly prepared for servitude, they will look on this ordinance, as the greatest prodigy of arbitrary power and tyranny, that any age hath brought forth in any kingdom. Other grievances (and the greatest) have been conceived intolerable, rather by the logic and consequence, than by the pressure itself: this at once sweeps away all that the wisdom and justice of parliaments have provided for them. Is their property in their estates, (so carefully looked to by their ancestors, and so amply established by us, against any possibility of invasion from the crown,) which makes the meanest subject as much a lord of his own as the greatest peer, to be valued, or considered? Here is a twentieth part of every man's estate, or so much as four men will please to call the twentieth part, taken away at once, and yet a power left to take a twentieth still of that which remains; and this to be levied by such circumstances of severity, as no act of parliament ever consented to.

"Is their liberty, which distinguishes subjects from slaves, and in which this freeborn nation hath the advantage of all Christendom, dear to them? They shall not only be imprisoned in such places of this kingdom, (a latitude of judgment no court can challenge to itself in any cases,) but for so long time as the committee of the house of commons for examination shall appoint and order: the house of commons itself having never assumed, or in the least degree pretended to, a power of judicature; having no more authority to administer an oath, the only way to discover and find out the truth of facts, than to cut off the heads of any of our subjects: and this committee being so far from being a part of the parliament, that it is destructive to the whole, by usurping to itself all the power of king, lords, and commons. All who know any thing of parliaments know that a committee of either house ought not, by the law, to publish their own results; neither are their conclusions of any force, without the confirmation of the house, which hath the same



"power of controlling them, as if the matter had never been debated. But that any committee should be so contracted, (as this of examination, a style no committee ever bore before this parliament,) as to exclude the members of the house, who are equally trusted by their country, from being present at the counsels, is so monstrous to the privileges of parliament, that it is no more in the power of any man to give up that freedom, than of himself to order, that, from that time, the place for which he serves shall never more send a knight or Burgess to the parliament; and in truth is no less than to alter the whole frame of government, to pull up parliaments by the roots, and to commit the lives, liberties, and estates, of all the people of England to the arbitrary power of a few unqualified persons, who shall dispose thereof according to their discretion, without account to any rule or authority whatsoever.

"Are their friends, their wives, and children, the greatest blessings of peace, and comforts of life, precious to them? Would their penury and imprisonment be less grievous by those cordials? They shall be divorced from them, banished, and shall no longer remain within the cities of London and Westminster, the suburbs and the counties adjacent; and how far those adjacent counties shall extend no man knows. Is there now any thing left to enjoy but the liberty to rebel, and destroy one another? Are the outward blessings only of peace, property, and liberty, taken and forced from our subjects? Are their consciences free and unassaulted by the violence of these fire-brands? Sure the liberty and freedom of conscience cannot suffer by these men. Alas! all these punishments are imposed upon them, because they will not submit to actions contrary to their natural loyalty, to their oaths of allegiance and supremacy, and to their late voluntary protestation, which obliges them to the care of our person, and our just rights.

"How many persons of honour, quality, and reputation, of the several counties of England, are now imprisoned, without any objections against them, but suspicion of their loyalty! How many of the gravest and most substantial citizens of London, by whom the government and discipline of that city was preserved, are disgraced, robbed, and imprisoned, without any process of law, or colour of accusation, but of obedience to the law and government of the kingdom! whilst anabaptists and Brownists, with the assistance of vicious and debauched persons of desperate fortunes, take upon them to break up and rifle houses, as public and avowed ministers of a new-invented authority. How many godly, pious, and painful divines, whose lives and learning have made them of reverend estimation, are now slandered with inclination to popery, discountenanced, and imprisoned, for discharging their consciences, instructing the people in the Christian duty of religion and obedience! whilst schismatical, illiterate, and scandalous preachers fill the pulpits and churches with blasphemy, irreverence, and treason; and incite their auditory to nothing but murder and rebellion.

"We pass over the vulgar charm, by which they have captivated such who have been contented to dispense with their consciences for the preservation of their estates, and by which they

"persuade men cheerfully to part with this twentieth part of their estates to the good work in hand. For whosoever will give what he hath may escape robbing. They shall be repaid upon the public faith, as all other monies lent upon the propositions of both houses. It may be so. But men must be condemned to a strange unthriftiness, who will lend upon such security. The public faith indeed is as great an earnest as the state can give, and engages the honour, reputation, and honesty of the nation, and is the act of the kingdom: it is the security of the king, the lords, and commons, which can never need an executor, can never die, never be bankrupt; and therefore we willingly consented to it for the indemnity of our good subjects of Scotland, (who, we hope, will not think the worse of it for being so often and so cheaply mentioned since.) But that a vote of one, or both houses, should be an engagement upon the public faith, is as impossible as that the committee of the house of commons for examination should be the high court of parliament.

"And what is or can be said, with the least shadow of reason, to justify these extravagances? We have not heard lately of the fundamental laws, which used to warrant the innovations: these need a refuge even below those foundations. They will say, they cannot manage their great undertakings without such extraordinary ways. We think so too. But that proves only, they have undertaken somewhat they ought not to undertake, not that it is lawful for them to do any thing that is convenient for those ends. We remembered them long ago, and we cannot do it too often, of that excellent speech of Mr. Pym's. The law is that which puts a difference betwixt good and evil, betwixt just and unjust: if you take away the law, all things will be in a confusion, every man will become a law unto himself; which, in the depraved condition of human nature, must needs produce many great enormities. Lust will become a law, and envy will become a law, covetousness and ambition will become laws; and what dictates, what decision, such laws will produce, may easily be discerned: it may indeed by the sad instances over the whole kingdom.

"But will posterity believe, that, in the same parliament, this doctrine was avowed with that acclamation, and these instances after produced? That, in the same parliament, such care was taken that no man should be committed in what case soever, without the cause of his imprisonment expressed; and that all men should be immediately bailed in all cases bailable; and, during the same parliament, that alderman Pennington, or indeed any body else, but the sworn ministers of justice, should imprison whom they would, and for what they would, and for as long time as they would? That the king should be reproached with breach of privilege, for accusing sir John Hotham of high treason, when with force of arms he kept him out of Hull, and despoised him to his face, because in no case a member of either house might be committed, or accused without leave of that house of which he is a member; and yet that, during the same parliament, the same alderman shall commit the earl of Middlesex, a peer of the realm, and the lord Buckhurst, a member of the house of com-



"mons, to the counter, without reprehension?  
 "That to be a traitor (which is defined, and every  
 "man understands) should be no crime; and to  
 "be called malignant, which nobody knows the  
 "meaning of, should be ground enough for close  
 "imprisonment? That a law should be made, that  
 "whosoever should presume to take tonnage and  
 "poundage without an act of parliament, should  
 "incur the penalty of a premunire; and, in the  
 "same parliament, that the same imposition should  
 "be laid upon our subjects, and taken by order of  
 "both houses, without and against our consent?  
 "Lastly, that, in the same parliament, a law should  
 "be made to declare the proceedings and judgment  
 "upon ship-money to be illegal, and void;  
 "and, during that parliament, that an order of  
 "both houses shall, upon pretence of necessity,  
 "enable four men to take away the twentieth part  
 "of their estates from all their neighbours, according  
 "to their discretion?"

"But our good subjects will no longer look  
 "upon these and the like results, as upon the  
 "counsels and conclusions of both our houses of  
 "parliament; (though all the world knows, even  
 "that authority can never justify things unwarrantable  
 "by the law.) They well know how few  
 "of the persons trusted by them are trusted at  
 "their consultations, of above five hundred of the  
 "commons not fourscore; and of the house of  
 "peers, not a fifth part: that they who are present  
 "enjoy not the privilege and freedom of  
 "parliament, but are besieged by an army, and  
 "awed by the same tumults which drove us and  
 "their fellow members from thence, to consent to  
 "what some few seditious, schismatical persons  
 "among them do propose. These are the men,  
 "who, joining with the anabaptists and Brownists  
 "of London, first changed the government and  
 "discipline of that city; and now, by the pride  
 "and power of that city, would undo the kingdom:  
 "whilst their lord mayor, a person accused and  
 "known to be guilty of high treason, by a new  
 "legislative power of his own, suppresses and  
 "reviles the Book of Common Prayer, robs and  
 "imprisons whom he thinks fit; and, with the  
 "rabble of his faction, gives laws to both houses  
 "of parliament, and tells them, *They will have no  
 "accommodation*: whilst the members sent, and  
 "intrusted by their countries, are expelled the  
 "house, or committed, for refusing to take the  
 "oath of association to live and die with the earl  
 "of Essex, as very lately sir Sydney Mountague.  
 "These are the men who have presumed to send  
 "ambassadors, and to enter into treaties with  
 "foreign states in their own behalfs, having at  
 "this time an agent of their own with the states  
 "of Holland, to negotiate for them upon private  
 "instructions: these are the men who, not thinking  
 "they have yet brought mischief enough unto  
 "this kingdom, at this time invite and solicit our  
 "subjects of Scotland, to enter this land with an  
 "army against us: in a word, these are the men  
 "who have made this last devouring ordinance  
 "to take away all law, liberty, and property from  
 "our people, and have by it really acted that upon  
 "our people, which with infinite malice, and no  
 "colour or ground, was laboured to be infused  
 "into them, to have been our intention by the  
 "commissions of array.

"We have done: What power and authority  
 "these men have, or will have, we know not: for

"ourselves, we challenge none such. We look upon  
 "the pressures and inconveniences our good subjects  
 "bear, even by us, and our army, (which the  
 "army first raised by them enforced us to levy in  
 "our defence, and their refusal of all offers and  
 "desires of treaty enforceth us to keep,) with very  
 "much sadness of heart. We are so far from requiring  
 "a twentieth part of their estates, though  
 "for their own visible preservation, that, as we  
 "have already sold or pawned our own jewels,  
 "and coined our own plate, so we are willing to  
 "sell all our own lands and houses for their relief:  
 "yet we do not doubt but our good subjects will  
 "seriously consider our condition, and their own  
 "duties, and think our readiness to protect them  
 "with the utmost hazard of our life, deserves their  
 "readiness to assist us with some part of their  
 "fortunes; and, whilst other men give a twentieth  
 "part of their estates to enable them to forfeit the  
 "other nineteen, that they will extend themselves  
 "to us in a liberal and free proportion, for the preservation  
 "of the rest, and for the maintenance of  
 "God's true religion, the laws of the land, the  
 "liberty of the subject, and the safety and very  
 "being of parliaments, and this kingdom: for  
 "if all these ever were, or can be, in manifest  
 "danger, it is now in this present rebellion  
 "against us.

"Lastly, we will and require all our loving  
 "subjects, of what degree or quality soever, as  
 "they will answer it to God, to us, and to posterity,  
 "by their oaths of allegiance and supremacy;  
 "as they would not be looked upon  
 "now, and remembered hereafter, as betrayers of  
 "the laws and liberties they were born to; that  
 "they in no degree submit to this wild pretended  
 "ordinance, and that they presume not to give  
 "any encouragement or assistance to the army  
 "now in rebellion against us; which if notwithstanding  
 "they shall do, they must expect from  
 "us the severest punishment the law can inflict,  
 "and a perpetual infamy with all good men."

Whatsoever every man could say to another  
 against that ordinance, and whatsoever the king  
 said to them all against it, it did bring in a great  
 supply of money, and gave them a stock of credit  
 to borrow more; so that the army was again drawn  
 out, though but to winter quarters, twenty miles  
 from London, and the earl of Essex fixed his head  
 quarters at Windsor, to straiten the king's new  
 garrison at Reading, and sent strong parties still  
 abroad, which got as much ground as, at that time  
 of the year, could reasonably be expected; that is,  
 brought those adjacent counties entirely under the  
 obedience of the parliament, which would at least  
 have kept themselves neutral: and still persuaded  
 the people, "that their work was even at an end,  
 "and that the king's forces would be swallowed  
 "up in a very short time:" so that there was no  
 day, in which they did not publish themselves to  
 have obtained some notable victory, or taken some  
 town, when in truth each party wisely abstained  
 from disturbing the other: yet the bulk of their  
 supply came only from the city of London. For  
 though their ordinances extended over the whole  
 kingdom, yet they had power to execute them only  
 there; for it was not yet time to try the affections  
 of all places within their own verge, with the severe  
 exercise of that authority.

And therefore divers of the wealthiest and most  
 substantial citizens of London, observing liberty

to be taken by all men to petition the houses, and the multitude of the petitioners to carry great authority with them, and from those multitudes, and that authority, the brand to have been laid upon the city, "of being an enemy to peace," met together, and prepared a very modest and moderate petition to the houses; in which they desired "that such propositions and addresses might be made by them to his majesty, that he might with his honour comply with them, and thereby a happy peace ensue;" the which, being signed by many thousand hands, was ready to be presented, but was rejected by the house of commons, for no other reason publicly given, but "that it was prepared by a multitude;" and objections were framed against the principal promoters of it, upon other pretences of delinquency; that they were compelled to forsake the town, and so that party was, for the present, discountenanced.

At the same time the inhabitants of Westminster, St. Martin's, and Covent-garden, who always underwent the imputation of being well affected to the king, prepared the like petition, and met with the same reproach, being strictly inhibited to approach the houses with more than six in company. This unequal kind of proceeding added nothing to their reputation, and they easily discerned those humours, thus obstructed, would break out the more violently: therefore they again resumed all professions of a desire of peace, and appointed a committee to prepare propositions to be sent to the king to that purpose; and because they found that would be a work of time, (for the reasons which will be anon remembered,) and that many arts were to be applied to the several affections, and to wipe out the imagination that the city desired peace upon any other terms than they did, and the disadvantage that accrued to them by such imagination, and also to stay the appetite of those who were importunate to have any advance made towards peace, having procured, by the activity of their agents and ministers, to have such a common-council chosen for the city, as would undoubtedly comply with their desires and designs, they underhand directed their own mayor to engage that body in such a petition to his majesty, as, carrying the sense and reputation of the whole city, might yet signify nothing to the prejudice of the two houses; and so a petition was framed in these words:

To the king's most excellent majesty;

*The humble petition of the mayor, aldermen, and commons of the city of London,*

Sheweth,

"That the petitioners, your majesty's most humble and loyal subjects, being much pierced with the long and great divisions between your majesty and both your houses of parliament, and with the sad and bloody effects thereof, both here and in Ireland, are yet more deeply wounded by the misapprehension, which your majesty seemeth to entertain of the love and loyalty of this your city, as if there were some cause of fear, or suspicion of danger to your royal person, if your majesty should return hither; and that this is made the unhappy bar to that blessed reconciliation with your great and most faithful council for preventing that desolation, and destruction, which is now most apparently imminent to your majesty, and all your kingdoms.

"For satisfaction therefore of your majesty, and clearing of the petitioners' innocency, they most humbly declare, as formerly they have done, that they are no way conscious of any disloyalty, but abhor all thoughts thereof; and that they are resolved to make good their late solemn protestation, and sacred vow, made to Almighty God; and, with the last drop of their dearest bloods, to defend and maintain the true reformed protestant religion, and, according to the duty of their allegiance, your majesty's royal person, honour, and estate, (whatsoever is maliciously and falsely suggested to your majesty to the contrary,) as well as the power and privilege of parliament, and the lawful rights and liberties of the subject: and do hereby engage themselves, their estates, and all they have, to their utmost power, to defend and preserve your majesty, and both houses of parliament, from all tumults, affronts, and violence, with as much loyalty, love, and duty, as ever citizens expressed towards your majesty, or any of your royal progenitors in their greatest glory.

"The petitioners therefore, upon their bended knees, do most humbly beseech your majesty, to return to your parliament, (accompanied with your royal, not martial attendance,) to the end that religion, laws, and liberties, may be settled and secured, and whatsoever is amiss in church and commonwealth reformed by their advice, according to the fundamental constitutions of this kingdom: and that such a peace may thereby be obtained, as shall be for the glory of God, the honour and happiness of your majesty and posterity, and welfare of all your loyal subjects; who, (the petitioners are fully assured,) whatsoever is given out to the contrary, do unanimously desire the peace herein expressed."

Though this petition was in effect no other than to desire the king to disband his army, and to put himself into the absolute disposal of the parliament, and therefore all wise men concluded that no great progress would be made by it towards peace; yet, (so sotted and infatuated were the people,) that, upon this very petition, they prevailed upon the people to submit to another subscription for money and plate, for the necessary provision of arms, ammunition, and pay of their army, until their disbanding and return home to their several counties: that so they might not be occasioned, through want of pay, to plunder, rob, or pillage by the way homewards, after their discharge and dismissal. So that men were persuaded that this was now the last tax they should be invited to, though every one of those ordinances and declarations loaded the king with some new calumnies and reproaches; that it was plain the authors of them meant not so soon to put themselves under his subjection.

This petition was, about the tenth of January, 1642-3, presented to the king at Oxford, by some aldermen, and others of the common council, who were for the most part of moderate inclinations. The king considered sadly what answer to return; for, albeit it appeared that the petition had been craftily framed by those who had no thoughts of peace, and that there was no argument in it to hope any good from that people; yet there were, to vulgar understandings, very specious and popular professions of great piety, and zeal to his service, and care of his security; and he was to be very tender in seeming to doubt the inclinations

and affections of that city, by whose strength alone the war was supported, and that strength procured by corrupting those affections : and therefore the king was not sorry to have this opportunity of sayingsomewhat, and communicating himself freely to the city, being persuaded, that the ill they did, proceeded rather from misinformation, than any general and habitual malice in them. All his proclamations, messages, and declarations, had been with so much industry suppressed there, that they were not in truth generally informed of the matter of fact, and the justice of the king's cause ; and therefore he was persuaded that if he enlarged himself, in his answer to this petition, and exposed those few men who were most notoriously malignant against the government of the church and state, and who were generally known to be so, to the knowledge of the people, that it would at least lessen their power and ability to do hurt : and so he resolved to return an answer to them in these words :

" That his majesty doth not entertain any misapprehension of the love and loyalty of his city of London ; as he hath always expressed a singular regard and esteem of the affections of that city, and is still desirous to make it his chief place of residence, and to continue, and renew many marks of his favour to it ; so he believes, much the better and greater part of that his city is full of love, duty, and loyalty to his majesty ; and that the tumults which heretofore forced his majesty, for his safety, to leave that place, though they were contrived and encouraged by some principal members thereof, (who are since well known, though they are above the reach of justice,) consisted more of desperate persons of the suburbs, and the neighbouring towns, (who were misled too by the cunning and malice of their seducers,) than of the inhabitants of that city. He looks on his good subjects there as persons groaning under the same burden which doth oppress his majesty, and awed by the same persons who begat those tumults, and the same army which gave battle to his majesty : and therefore, as no good subject can more desire, from his soul, a composure of the general distractions ; so no good citizen can more desire the establishment of the particular peace and prosperity of that place, by his majesty's access thither, than his majesty himself doth.

" But his majesty desires his good subjects of London seriously to consider, what confidence his majesty can have of security there, whilst the laws of the land are so notoriously despised, and trampled under foot, and the wholesome government of that city, heretofore so famous over all the world, is now submitted to the arbitrary power of a few desperate persons, of no reputation, but for malice and disloyalty to him ; whilst arms are taken up, not only without, but against his consent and express command, and collections publicly made, and contributions avowed, for the maintenance of the army which hath given him battle, and therein used all possible means treason and malice could suggest to them, to have taken his life from him, and to have destroyed his royal issue ; whilst such of his majesty's subjects, who, out of duty and affection to his majesty, and compassion of their bleeding country, have laboured for peace, are reviled, injured, and murdered, even by the ma-

gistrates of that city, or by their directions : lastly, what hopes his majesty can have of safety there, whilst alderman Pennington, their pretended lord mayor, the principal author of those calamities which so nearly threaten the ruin of that famous city, Ven, Foulke, and Manwaring, all persons notoriously guilty of schism and high treason, commit such outrages, in oppressing, robbing, and imprisoning, according to their discretion, all such his majesty's loving subjects, whom they are pleased to suspect but for wishing well to his majesty.

" And his majesty would know, whether the petitioners believe, that the reviling and suppressing the book of common prayer, established in this church ever since the reformation, the discountenancing and imprisoning godly, learned, and painful preachers, and the cherishing and countenancing of Brownists, anabaptists, and all manner of sectaries, be the way to defend and maintain the true reformed protestant religion ? That to comply with and assist persons who have actually attempted to kill his majesty, and to allow and favour libels, pasquils, and seditious sermons against his majesty, be to defend his royal person, and honour, according to the duty of their allegiance ? Whether to imprison men's persons, and to plunder their houses, because they will not rebel against his majesty, nor assist those that do ; whether to destroy their property by taking away the twentieth part of their estates from them, and, by the same arbitrary power, to refer to four standers-by, of their own faction, to judge what that twentieth part is, be to defend the lawful rights and liberties of the subject ? And if they think these actions to be instances of either ; whether they do not know the persons before named to be guilty of them all ? or whether they think it possible, that Almighty God can bless that city, and preserve it from destruction, whilst persons of such known guilt and wickedness are defended, and justified among them, against the power of that law, by which they can only subsist ?

" His majesty is so far from suffering himself to be incensed against the whole city, by the actions of these ill men, though they have hitherto been so prevalent, as to make the affections of the rest of little use to him ; and is so willing to be with them, and to protect them, that the trade, wealth, and glory thereof, so decayed and eclipsed by these public distractions, may again be the envy of all foreign nations, that he doth once more graciously offer his free and general pardon to all the inhabitants of that his city of London, the suburbs and city of Westminster, (except the persons formerly excepted by his majesty,) if they shall yet return to their duty, loyalty, and obedience. And if his good subjects of that his city of London shall first solemnly declare, that they will defend the known laws of the land, and will submit to, and be governed by, no other rule ; if they shall first manifest, by defending themselves, and maintaining their own rights, liberties, and interests, and suppressing any force and violence unlawfully raised against those and his majesty, their power to defend and preserve him from all tumults, affronts, and violence : lastly, if they shall apprehend, and commit to safe custody, the persons of those four men

"who enrich themselves by the spoil and oppression of his loving subjects, and the ruin of the city, that his majesty may proceed against them by the course of law, as guilty of high treason; his majesty will speedily return to them with his royal, and without his martial attendance, and will use his utmost endeavour, that they may hereafter enjoy all the blessings of peace and plenty; and will no longer expect obedience from them, than he shall, with all the faculties of his soul, labour in the preserving and advancing the true reformed protestant religion, the laws of the land, the liberty and property of the subjects, and the just privileges of parliament.

"If, notwithstanding all this, the art and interest of these men can prevail so far, that they involve more men in their guilt, and draw that his city to sacrifice its present happiness, and future hopes, to their pride, fury, and malice, his majesty shall only give them this warning: that whosoever shall henceforward take up arms, without his consent, contribute any money or plate, upon what pretence of authority soever, for maintenance of the army under the command of the earl of Essex, or any other army in rebellion against him, or shall pay tonnage and poundage, till the same shall be settled by act of parliament, every such person must expect the severest punishment the law can inflict; and, in the mean time, his majesty shall seize upon any part of his estate within his power, for the relief and support of him and his army, raised and maintained for the defence of his person, the laws, and this his kingdom: and since he denies to his majesty the duty and benefit of his subjection, by giving assistance to rebels, which, by the known laws of the land, is high treason; his majesty shall likewise deny him the benefit of his protection, and shall not only signify to all his foreign ministers, that such persons shall receive no advantage by being his subject; but shall, by all other ways and means, proceed against him as a public enemy to his majesty and this kingdom.

"But his majesty hopes, and doubts not, but his good subjects of London will call to mind the acts of their predecessors, the duty, affection, loyalty, and merit towards their princes, the renown they have had with all posterity for, and the blessing of Heaven which always accompanied, those virtues; and will consider the perpetual scorn and infamy which unavoidably will follow them and their children, if infinitely the meaner part in quality, and much the lesser part in number, shall be able to alter the government so admirably established, destroy the trade so excellently settled, and to waste the wealth so industriously gotten, of that flourishing city: and then they will easily gather up the courage and resolution to join with his majesty in defence of that religion, law, and liberty, which hitherto hath, and only can, make themselves, his majesty, and his kingdom, happy.

"For concurring with the advice of his two houses of parliament, which, with reference to the commonwealth, may be as well at this distance, as by being at Whitehall, his majesty doubts not, but his good subjects of London well know, how far, beyond the example of his predecessors, his majesty hath concurred with their advice, in passing of such laws, by which he

"willingly parted with many of his known rights, for the benefit of his subjects; which the fundamental constitutions of this kingdom did not oblige him to consent unto; and hath used all possible means to beget a right understanding between them: and will therefore apply themselves to those who, by making just, peaceable, and honourable propositions to his majesty, can only beget that concurrence."

This answer the king sent by a servant of his own, supposing, that if he sent by the messengers who brought the petition, it might either be suppressed, or not communicated in that manner as he desired. Besides, the messengers themselves, after the king had caused it to be read to them, were very well contented that it should be delivered by other hands than theirs. So they promised his majesty, that they would procure a common hall, (which is the most general assembly of the city, the meanest person being admitted,) to be called as soon as they returned; where his messenger might deliver it: and having been graciously used by the king and the court, after two days' stay, they returned from Oxford together with the gentleman sent by his majesty. When they came to London, the contents of the answer were quickly known, though not delivered; and the two houses made an order, "that the lord mayor should not call a common hall, till he received farther direction from them." So that, though the gentleman sent by the king often solicited the lord mayor, "that he would call a common hall, at which he was to deliver a message from the king," many days passed before any orders were issued to that purpose.

At last, a day was appointed; and, at the same time, a committee of the lords and commons were sent to be present, to see that it might not have such a reception, as might render their interest suspected. As soon as the gentleman sent by the king had read his majesty's answer, the earl of Northumberland told them, "of the high value the parliament had of the city; that they had considered of those wounding aspersions, which, in that answer, were cast upon persons of such eminent affection in their city, and upon others, of great fidelity and trust among them: that they owned themselves equally interested in all things that concerned them, and would stand by them with their lives and fortunes, for the preservation of the city in general, and those persons in particular who had been faithful, and deserved well both of the parliament and kingdom. And they would pursue all means with their lives and fortunes, that might be for the preservation of that city, and for the procuring of safety, happiness, and peace, to the whole kingdom."

As soon as his lordship had finished his oration, which was received with marvellous acclamations, Mr. Pym enlarged himself, [in a speech then printed,] upon the several parts of the king's answer, (for it was so long before it was delivered, that the printed copies from Oxford, which were printed there after the messenger was gone so long that all men concluded it was delivered, were public and in all hands,) and told them the sense of the two houses of parliament, upon every part of it. Among the rest, "that the demanding the lord mayor, and the other three citizens, was against the privilege of parliament, (two of them being members

"of the house of commons,) and most dishonourable to the city, that the lord mayor of London should be subjected to the violence of every base fellow; and that they should be commanded to deliver up their chief magistrates, and such eminent members of the city, to the king's pleasure, only because they had done their duty, in adhering to the parliament, for the defence of the kingdom."

He told them, "that, to the objection that the government of the city had been managed by a few desperate persons, and that they did exercise an arbitrary power, the two houses gave them this testimony, that they had, in most of the great occasions concerning the government of the city, followed their direction; and that direction which the parliament had given, they had executed; and they must and would maintain to be such, as stood with their honour in giving it, and the others' trust and fidelity in performing it."

To the objection, "that the property of the subject was destroyed, by taking away the twentieth part by an arbitrary power," he told them, "that that ordinance did not require a twentieth part, but did limit the assessors that they should not go beyond a twentieth part, and that was done by a power derived from both houses of parliament; the lords, who had an hereditary interest in making of laws in this kingdom; and the commons, who were elected and chosen to represent the whole body of the commonalty, and trusted, for the good of the people, whenever they see cause to charge the kingdom." He said farther, "that the same law which did enable the two houses of parliament to raise forces to maintain and defend the safety of religion, and of the kingdom, did likewise enable them to require contributions whereby those forces might be maintained; or else it were a vain power to raise forces, if they had not a power likewise to maintain them in that service for which they were raised." He observed, "that it was reported, that the king declared that he would send some messengers to observe their carriage in the city, and what was done among them: the parliament had just cause to doubt, that those would be messengers of sedition and trouble, and therefore desired them to observe and find them out, that they might know who they were." He concluded with "commending unto their consideration the great danger that they were all in; and that the danger could not be kept off, in all likelihood, but by the army that was then on foot;" and assured them, "that the lords and commons were so far from being frightened by any thing that was in that answer, that they had, for themselves, and the members of both houses, declared a farther contribution towards the maintenance of that army; and could not but hope, and desire, that the city, which had shewed so much good affection in the former necessities of the state, would be sensible of their own, and of the condition of the whole kingdom, and add to that which they had already done, some farther contribution, whereby that army might be maintained for all their safeties."

Whether the solemnity for the reception of this message after it was known what the contents were, and the bringing so great a guard of armed

men to the place where it was to be delivered, frightened the well affected party of the city from coming thither, or frightened them, when they were there, from expressing those affections, I know not. But it is certain, these speeches and discourses were received and entertained with all imaginable applause, and [that meeting] was concluded with a general acclamation, "that they would live and die with the houses," and other expressions of that nature. So that all thoughts of farther address, or compliance with his majesty, were so entirely and absolutely laid aside, that the license of seditious and treasonable discourses daily increased; insomuch, that complaint being made to the then lord mayor, that a certain desperate person had said, "that he hoped shortly to wash his hands in the king's blood," that minister of justice refused to send any warrant, or to give any direction to any officer, for the apprehension of him. And this was the success of that petition and answer.

The houses now began to speak themselves of sending propositions to the king for peace. For, how great soever the compliance seemed with them from the city, or the country, they well enough discerned that that compliance was generally upon the hope and expectation that they would procure a speedy peace. And they had now procured that to pass both houses, which they only wanted, the bill for the extirpation of episcopacy: in the doing whereof, they used marvellous art and industry. They who every day did somewhat, how little soever then taken notice of, to make peace impossible, and resolved, that no peace could be safe for them, but such a one as would be unsafe for the king, well enough knew that they should never be able to hold up, and carry on the war against the king in England, but by the help of an army out of Scotland; which they had no hope to procure but upon the stock of alteration of the government of the church; to which that nation was violently inclined. But to compass that was very difficult; very much the major part, even of those members who still continued with them, being cordially affected to the government established, at least not affected to any other. To those therefore, who were so far engaged as to desire to have it in their power to compel the king to consent to such a peace as they desired, they represented "the consequence of getting the Scots to declare for them; which would more terrify the king, and keep the northern parts in subjection, than any forces they should be able to raise: that it was impossible to draw such a declaration from them, without first declaring themselves that they would alter the government by the bishops; which that people pretended to believe the only justifiable ground to take up arms." To others, which was indeed their public, and avowed, and current argument in debates, they alleged, "that they could not expect that any peace would be effected by the king's free concurrence to any message they could send to him, but that it must arise and result from a treaty between them, upon such propositions as either party would make upon their own interest: that it could not be expected that such propositions would be made on either side, as would be pertinaciously insisted on by them who made them; it being the course, in all affairs of this nature, to ask more than was expected to be consented to; that it concerned

"them as much, to make demands of great moment to the king, from which they meant to recede, as others upon which they must insist: that all men knew the inclination and affection the king had to the church, and therefore if he saw that in danger, he would rescue it at any price, and very probably their departing from their proposition of the church, might be the most powerful argument to the king, to gratify them with the militia."

By these artifices, and especially by concluding obstinately, "that no propositions should be sent to the king for peace, till the bill for extirpation of bishops was passed the lords' house," (where it would never otherwise have been submitted to,) they had their desire, and, about the end of January, they sent the earls of Northumberland, Pembroke, Salisbury, and Holland, with eight members of the commons, to Oxford, with their petition and propositions. And here I cannot omit one stratagem, which, at that time, occasioned some mirth. The common people of London were persuaded, "that there was so great scarcity of victual and provisions at Oxford, and in all the king's quarters, that they were not without danger of starving; and that, if all other ways failed, that alone would in a short time bring the king to them." To make good this report, provisions of all kinds, even to bread, were sent in waggons, and on horses, from London to Oxford, for the supply of this committee: when, without doubt, they found as great plenty of all things where they came, as they had left behind them. The petition presented to his majesty with the propositions were, in these words, at the presentation, read by the earl of Northumberland.

*The humble desires and propositions of the lords and commons in parliament, tendered to his majesty.*

"We your majesty's most humble and faithful subjects, the lords and commons in parliament assembled, having in our thoughts the glory of God, your majesty's honour, and the prosperity of your people, and being most grievously afflicted with the pressing miseries, and calamities, which have overwhelmed your two kingdoms of England and Ireland, since your majesty hath, by the persuasion of evil counsellors, withdrawn yourself from the parliament, raised an army against it, and, by force thereof, protected delinquents from the justice of it, constraining us to take arms for the defence of our religion, laws, liberties, privileges of parliament, and for the sitting of the parliament in safety; which fears and dangers are continued, and increased, by the raising, drawing together, and arming of great numbers of papists, under the command of the earl of Newcastle; likewise by making the lord Herbert of Ragland, and other known papists, commanders of great forces, whereby many grievous oppressions, rapines, and cruelties have been and are daily exercised upon the persons and estates of your people, much innocent blood hath been spilt, and the papists have attained means of attempting, with hopes of effecting, their mischievous designs of rooting out the reformed religion, and destroying the professors thereof: in the tender sense and com-

passion of these evils, under which your people

and kingdom lie, (according to the duty, which we owe to God, your majesty, and the kingdom, for which we are trusted,) do most earnestly desire, that an end may be put to these great distempers and distractions, for the preventing of that desolation which doth threaten all your majesty's dominions. And as we have rendered, and still are ready to render to your majesty, that subjection, obedience, and service, which we owe unto you; so we most humbly beseech your majesty, to remove the causes of this war, and to vouchsafe us that peace and protection, which we and our ancestors have formerly enjoyed under your majesty, and your royal predecessors, and graciously to accept and grant these our most humble desires and propositions:

1. "That your majesty will be pleased to disband your armies, as we likewise shall be ready to disband all those forces which we have raised; and that you will be pleased to return to your parliament.

2. "That you will leave delinquents to a legal trial, and judgment of parliament.

3. "That the papists may not only be disbanded, but disarmed according to law.

4. "That your majesty will be pleased to give your royal assent unto the bill for taking away the superstitious innovations; to the bill for the utter abolishing and taking away of all archbishops, bishops, their chancellors, and commissaries, deans, sub-deans, deans and chapters, archdeacons, canons, and prebendaries, and all chanters, chancellors, treasurers, sub-treasurers, succentors, and sacrists, and all vicars choral, and choristers, old vicars, and new vicars of any cathedral or collegiate church, and all other their under-officers, out of the church of England: to the bill against scandalous ministers: to the bill against pluralities; and to the bill for consultation to be had with godly, religious, and learned divines. That your majesty will be pleased to promise to pass such other good bills for settling of church-government, as, upon consultation with the assembly of the said divines, shall be resolved on by both houses of parliament, and by them presented to your majesty.

5. "That your majesty having expressed, in your answer to the nineteen propositions of both houses of parliament, an hearty affection and intention for the rooting out of popery out of this kingdom; and that, if both the houses of parliament can yet find a more effectual course to dis-able Jesuits, priests, and popish recusants, from disturbing the state, or eluding the laws, that you would willingly give your consent unto it; that you would be graciously pleased, for the better discovery and speedier conviction of recusants, that an oath may be established by act of parliament, to be administered in such manner as by both houses shall be agreed on; wherein they shall abjure and renounce the pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping of the consecrated host, crucifixes, and images: and the refusing the said oath, being tendered in such manner as shall be appointed by act of parliament, shall be a sufficient conviction in law of recusancy. And that your majesty will be graciously pleased to give your royal assent unto a bill, for the education of the children of papists by protestants in the

"protestant religion. That, for the more effectual execution of the laws against popish recusants, your majesty will be pleased to consent to a bill, for the true levying of the penalties against them; and that the same penalties may be levied, and disposed of in such manner as both houses of parliament shall agree on, so as your majesty be at no loss; and likewise to a bill, whereby the practice of papists against the state may be prevented, and the law against them duly executed.

6. "That the earl of Bristol may be removed from your majesty's councils; and that both he, and the lord Herbert, eldest son to the earl of Worcester, may likewise be restrained from coming within the verge of the court; and that they may not bear any office, or have any employments concerning state, or commonwealth.

7. "That your majesty will be graciously pleased by act of parliament, to settle the militia both by sea and land, and for the forts and ports of the kingdom, in such a manner as shall be agreed on by both houses.

8. "That your majesty will be pleased, by your letters patents, to make sir John Brampton, chief justice of the court of king's bench; William Lenthall, esquire, the now speaker of the commons' house, master of the rolls; and to continue the lord chief justice Banks, chief justice of the court of common pleas; and likewise to make Mr. Sergeant Wild, chief baron of your court of exchequer; and that Mr. Justice Bacon may be continued; and Mr. Sergeant Rolls, and Mr. Sergeant Atkins, made justices of the king's bench: that Mr. Justice Reeves, and Mr. Justice Foster, may be continued; and Mr. Sergeant Pheasant made one of the justices of your court of common pleas; that Mr. Sergeant Creswell, Mr. Samuel Brown, and Mr. John Puleston, may be barons of the exchequer; and that all these, and all the judges of the same courts, for the time to come, may hold their places by letters patents under the great seal, *quandis se bene gesserint*: and that the several persons not before named, that do hold any of these places before mentioned, may be removed.

9. "That all such persons, as have been put out of the commissions of peace, or oyer and terminer, or from being *custodes rotulorum*, since the first day of April, 1642, (other than such as were put out by desire of both or either of the houses of parliament,) may again be put into those commissions and offices; and that such persons may be put out of those commissions and offices, as shall be excepted against by both houses of parliament.

10. "That your majesty will be pleased to pass the bill now presented to your majesty, to vindicate and secure the privileges of parliament, from the ill consequence of the late precedent in the charge and proceeding against the lord Kimbolton, now earl of Manchester, and the five members of the house of commons.

11. "That your royal assent may be given unto such acts as shall be advised by both houses of parliament, for the satisfying and paying the debts and damages, wherein the two houses of parliament have engaged the public faith of the kingdom.

12. "That your majesty will be pleased, according to a gracious answer heretofore received from you, to enter into a more strict alliance with the States of the United Provinces, and other neighbour princes and states of the protestant religion, for the defence and maintenance thereof against all designs and attempts of the popish and jesuitical faction, to subvert and suppress it; whereby your subjects may hope to be free from the mischiefs which this kingdom hath endured, through the power which some of that party have had in your counsels; and will be much encouraged, in a parliamentary way, for your aid and assistance in restoring your royal sister, and the prince elector, to those dignities and dominions which belong unto them; and relieving the other protestant princes who have suffered in the same cause.

13. "That in the general pardon, which your majesty hath been pleased to offer to your subjects, all offences and misdemeanours committed before the 10th of January, 1641, which have been or shall be questioned, or proceeded against in parliament, upon complaint in the house of commons, before the 10th of January, 1643, shall be excepted; which offences and misdemeanours shall nevertheless be taken, and adjudged to be fully discharged against all other inferior courts. That likewise there shall be an exception of all offences committed by any person or persons, which hath, or have had, any hand or practice in the rebellion of Ireland; which hath, or have given, any counsel, assistance, or encouragement to the rebels there, for the maintenance of that rebellion; as likewise an exception of William earl of Newcastle, and George lord Digby.

14. "That your majesty will be pleased to restore such members of either house of parliament to their several places of services, and employment, out of which they have been put since the beginning of this parliament; that they may receive satisfaction, and reparation for those places, and for the profits which they have lost by such removals, upon the petition of both houses of parliament: and that all others may be restored to their offices and employments, who have been put out of the same upon any displeasure conceived against them, for any assistance given to both houses of parliament, or obeying their commands, or forbearing to leave their attendance upon the parliament without license; or for any other occasion, arising from these unhappy differences betwixt your majesty and both houses of parliament, upon the like petition of both houses.

"These things being granted, and performed, as it hath always been our hearty prayer, so shall we be enabled to make it our hopeful endeavour, that your majesty, and your people, may enjoy the blessings of peace, truth, and justice; the royalty and greatness of your throne may be supported by the loyal and bountiful affections of your people; their liberties and privileges maintained by your majesty's protection and justice; and this public honour, and happiness of your majesty, and all your dominions, communicated to other churches and states of your alliance, and derived to your royal posterity, and the future generations of this kingdom for ever."



They who brought this petition and propositions, spake to their friends at Oxford with all freedom of the persons from whom they came; inveighed against "their tyranny and unreasonableness," and especially against the propositions themselves had brought; but positively declared, "that if the king would vouchsafe so gracious an answer (which they confessed they had no reason to expect) as might engage the two houses in a treaty, it would not be then in the power of the violent party to deny whatsoever his majesty could reasonably desire." However (though the king expected little from those private undertakings, well knowing that they who wished best were of least power, and that the greatest among them, as soon as they were but suspected to incline to peace, immediately lost their reputation) his majesty within two days, graciously dismissed those messengers with this answer:

"If his majesty had not given up all the faculties of his soul to an earnest endeavour of peace and reconciliation with his people; or if he would suffer himself, by any provocation, to be drawn to a sharpness of language, at a time when there seems somewhat like an overture of accommodation, he could not but resent the heavy charges upon him in the preamble of these propositions; would not suffer himself to be reproached, with protecting of delinquents, by force, from justice, (his majesty's desire having always been, that all men should be tried by the known law, and having been refused it,) with raising an army against his parliament, and to be told that arms have been taken up against him for the defence of religion, laws, liberties, and privileges of parliament, and for the sitting of the parliament in safety, with many other particulars in that preamble so often and so fully answered by his majesty, without remembering the world of the time and circumstances of raising those arms against him; when his majesty was so far from being in a condition to invade other men's rights, that he was not able to maintain and defend his own from violence; and without telling his good subjects, that their religion, (the true protestant religion, in which his majesty was born, hath faithfully lived, and to which he will die a willing sacrifice,) their laws, liberties, privileges, and safety of parliament, were so amply settled, and established, or offered to be so by his majesty, before any army was raised against him, and long before any raised by him for his defence, that if nothing had been desired but that peace and protection which his subjects, and their ancestors, had in the best times enjoyed, under his majesty, or his royal predecessors, this misunderstanding and distance between his majesty and his people, and this general misery and distraction upon the face of the whole kingdom, had not been now the discourse of all Christendom.

"But his majesty will forbear any expressions of bitterness, or of a sense of his own sufferings, that, if it be possible, the memory thereof may be lost to the world. And therefore, though many of the propositions, presented to his majesty by both houses, appear to him very derogatory from, and destructive to, his just power and prerogative, and no way beneficial to his subjects, few of them being already due to them

"by the laws established, (and how unparliamentary it is by arms to require new laws, all the world may judge,) yet (because these may be waved, or mollified, and many things, that are now dark and doubtful in them, cleared, and explained upon debate) his majesty is pleased, such is his sense of the miseries this kingdom suffers by this unnatural war, and his earnest desire to remove them by an happy peace, that a speedy time and place be agreed upon, for the meeting of such persons as his majesty and both houses shall appoint to discuss these propositions, and such others here following as his majesty doth propose to them.

1. "That his majesty's own revenue, magazine, towns, forts, and ships, which have been taken or kept from him by force, be forthwith restored unto him.

2. "That whatsoever hath been done, or published, contrary to the known laws of the land, or derogatory to his majesty's legal and known power and rights, be renounced, and recalled, that no seed may remain for the like to spring out of for the future.

3. "That whatsoever illegal power hath been claimed and exercised by or over his subjects, as imprisoning their persons without law, stopping their *Habeas Corpus's*, and imposing upon their estates without act of parliament, &c. either by both, or either house, or any committee of both, or either, or by any persons appointed by any of them, be disclaimed; and all such persons so committed forthwith discharged.

4. "That as his majesty will readily consent (having done so heretofore) to the execution of all laws already made, and to any good acts to be made for the suppressing of popery, and for the firm settling of the protestant religion now established by law; so he desires, that a good bill may be framed, for the better preserving the Book of Common Prayer from the scorn and violence of Brownists, anabaptists, and other sectaries, with such clauses for the ease of tender consciences, as his majesty hath formerly offered.

5. "That all such persons, as, upon the treaty, shall be excepted out of the general pardon, shall be tried *per pares*, according to the usual course, and known law of the land; and that it be left to that, either to acquit or condemn them.

6. "And, to the intent this treaty may not suffer interruption by any intervening accidents, that a cessation of arms, and free trade for all his majesty's subjects, may be first agreed upon.

"This offer and desire of his majesty, he hopes, will be so cheerfully entertained, that a speedy and blessed peace may be accomplished. If it shall be rejected, or, by insisting upon unreasonable circumstances, be made impossible, (which, he hopes, God in his mercy to this nation will not suffer,) the guilt of the blood which will be shed, and the desolation which must follow, will lie upon the heads of the refusers. However, his majesty is resolved, through what accidents soever he shall be compelled to recover his rights, and with what prosperous success soever it shall please God to bless him, that by his earnest, constant endeavours to propagate and promote the true protestant religion, and by his governing according to the known laws of the land, and upholding the just privileges of parliament, ac-



"cording to his frequent protestations made before Almighty God, which he will always inviolably observe,) the world shall see, that he hath undergone all these difficulties and hazards, for the defence and maintenance of those, the zealous preservation of which, his majesty well knows, is the only foundation and means for the true happiness of him and his people."

Whilst these overtures and discourses were made of peace, the kingdom, in all parts, felt the sad effects of war; neither the king nor the parliament being slack in pursuing the business by the sword; and the persons of honour and quality in most counties more vigorously declaring themselves than they had done. Among the rest, upon the king's retreat from Brentford, whilst he yet stayed about Reading, some of the well affected gentry of Sussex, upon the confidence of their interests in those parts, offered the king to raise forces there; and presumed they should be able to seize some place of security and importance for their retreat, if the enemy should attempt upon them; which, at that time of the year, was not conceived could be with any notable success. And being armed with such authority and commissions, as they desired, and seconded with a good number of considerable officers, their first success was answerable to their own hopes, and they possessed themselves, partly by force, and partly by stratagem, of the city of Chichester; which, being encompassed with a very good old wall, was very easy to be so fortified, that, with the winter, they might well think themselves secure against any forcible attempt could be made upon them. And no doubt they had been so, if the common people of the county (out of which the soldiers were to rise) had been so well affected as was believed.

But, before they could draw in men or provisions into the city, the earl of Essex sent sir William Waller with horse, foot, and cannon, to infest them; who, with the assistance of the country, quickly shut them up within their walls. They within the town were easily reduced to straits they could not contend with; for, besides the enemy without, against which the walls and the weather seemed of equal power, and the small stock of provisions, which, in so short time, they were able to draw thither, they had cause to apprehend their friends would be weary before their enemies; and that the citizens would not prove a trusty part of the garrison; and their number of common men was so small, that the constant duty was performed by the officers, and gentlemen of quality, who were absolutely tired out. So that, after a week or ten days' siege, they were compelled, upon no better articles than quarter, to deliver that city, which could hardly have been taken from them; by which (with the loss of fifty or threescore gentlemen of quality, and officers of name, whose very good reputation made the loss appear a matter of absolute and unavoidable necessity) the king found that he was not to venture to plant garrisons so far from his own quarters, where he could not, in reasonable time, administer succour or supply.

This triumph of the enemy was shortly after abated, and the loss on the king's part repaired, by the winning of Cirencester, a good town in Gloucestershire, which the rebels were fortifying, and had in it a very strong garrison; and, being upon the edge of Wiltshire, Berkshire, and Oxford-

shire, shrewdly straitened the king's quarters. The marquis of Hertford bringing with him, out of Wales, near two thousand foot, and one regiment of horse, intended, with the assistance of prince Rupert, who appointed to join with him with some regiments from Oxford, to take in that town; but by the extreme foulness of the ways, the great fall of rain at that time, (being about Christmas,) and some mistake in orders between the two generals, that design was disappointed; and the alarm gave the enemy so much the more courage and diligence to provide for an assault.

In the beginning of February, prince Rupert went upon the same design with better success; and at one and the same time, storming the town in several places, their works being not yet finished, though pertinaciously enough defended, entered their line with some loss of men, and many hurt, but with a far greater of the enemy; for there were not so few as two hundred killed upon the place, and above one thousand taken prisoners, whereof Warneford and Fettyplace, (two gentlemen of good quality and fortune near that town, and very active in the service,) Mr. George, a member of parliament who served for that borough, and two or three Scottish officers of the field, whereof Carr the governor was one, were the chief. The town yielded much plunder, from which the undistinguishing soldier could not be kept, but was equally injurious to friend and foe; so that many honest men, who were imprisoned by the rebels for not concurring with them, found themselves at liberty and undone together: amongst whom John Plot, a lawyer of very good reputation, was one; who being freed from the hard and barbarous imprisonment in which he had been kept, when he returned to his own house, found it full of soldiers, and twelve hundred pounds in money taken from thence, which could never be recovered. The prince left a strong garrison there, that brought almost all that whole county into contribution, and which was a great enlargement to the king's quarters, which now, without interruption, extended from Oxford to Worcester; which important city, with the other of Hereford, and those counties, had, some time before, been quitted by the rebels; the earl of Stamford, who was left in those parts by the earl of Essex, being called from thence, by the growth of the king's party in Cornwall, to the securing the west.

We remembered before, when the marquis of Hertford transported himself and his few foot into Wales from Minhead, that sir Ralph Hopton, and the other gentlemen, mentioned before, with their small force, consisting of about one hundred horse, and fifty dragoons, retired into Cornwall, neglected by the earl of Bedford, as fit and easy to be suppressed by the committees. And, in truth, the committees were entirely possessed of Devonshire, and thought themselves equally sure of Cornwall, save that the castle of Pendennis was in the custody of one they had no hope of. They were welcomed into Cornwall by sir Bevil Greenvil, who marched with them towards the west of that county, as being best affected, where they might have leisure to refresh their wearied and almost tired horse and men, and to call the well disposed gentry together; for which they chose Truro as the fittest place, the east part of the county being possessed by sir Alexander Carew, and sir Richard Buller, two members of the house of commons, and active

men for the settling of the militia. There was in this county, as throughout the whole kingdom, a wonderful and superstitious reverence towards the name of a parliament, and a prejudice to the power of the court; yet a full submission, and love of the established government of church and state, especially to that part of the church as concerned the liturgy, or Book of Common Prayer, which was a most general object of veneration with the people. And the jealousy and apprehension that the other party intended to alter it, was a principal advancement of the king's service. Though the major and most considerable part of the gentry, and men of estate, were heartily for the king, many of them being of the house of commons, and so having seen and observed by what spirit the distemper was begot, and carried on; yet there were others of name, fortune, and reputation with the people, very solicitous for the parliament, and more active than the other. There was a third sort (for a party they cannot be called) greater than either of the other, both in fortune and number, who, though they were satisfied in their consciences of the justice of the king's cause, had yet so great a dread of the power of the parliament, that they sat still as neutrals, assisting neither. So that they who did boldly appear, and declare for the king, were compelled to proceed with all wariness and circumspection; by the known and well understood rules of the law and justice; and durst not oppose the most extravagant act of the other side but with all the formality that was used in full peace: which must be an answer to all those oversights and omissions, which posterity will be apt to impute to the king, in the morning of these distractions.

The committee of the parliament, who were entirely possessed of Devonshire, and believed themselves masters of Cornwall, drew their forces of the country to Launceston, to be sure that sir Ralph Hopton and his adherents (whose power they thought contemptible) might not escape out of their hands. This was before the battle of Edge-hill, when the king was at lowest, and when the authority of parliament found little opposition in any place. The quarter sessions came, where they caused a presentment to be drawn, in form of law, "against divers men unknown, who were lately come armed into that county *contra pacem*, &c." Though none were named, all understood who were meant; and therefore sir Ralph Hopton, who well understood those proceedings, voluntarily appeared; took notice of the presentment, and produced the commission granted by the king, under the great seal of England, to the marquis of Hertford, by which he was constituted general of the west; and a commission, from his lordship, to sir Ralph Hopton, of lieutenant general of the horse; and told them, "he was sent to assist them, in the defence of their liberties, against all illegal taxes and impositions." Hereupon, after a full and solemn debate, the jury, which consisted of gentlemen of good quality, and fortunes in the county, not only acquitted sir Ralph Hopton, and all the other gentlemen his companions, of any disturbance of the peace, but declared, "that it was a great favour and justice of his majesty, to send down aid to them who were already marked out to destruction; and that they thought it the duty of every good subject, as well in loyalty to the king, as in gratitude to those gentlemen,

to join with them with any hazard of life and fortune."

As this full vindication was thus gotten on the king's part, so an indictment was preferred against sir Alexander Carew, sir Richard Buller, and the rest of the committee, "for a rout and unlawful assembly at Launceston; and for riots and misdemeanours committed against many of the king's good subjects, in taking their liberties from them;" (for they had intercepted and apprehended divers messengers, and others of the king's party, and employed by them.) This indictment and information was found by the grand jury, and thereupon, according to a statute in that case provided, an order of sessions was granted to the high sheriff, a person well affected to the king's service, "to raise the *posse comitatus*, for the dispersing that unlawful assembly at Launceston, and for the apprehension of the rioters." This was the rise and foundation of all the great service that was after performed in Cornwall, by which the whole west was reduced to the king. For, by this means, there were immediately drawn together a body of three thousand foot, well armed; which by no other means, that could have been used, could have been done: with which sir Ralph Hopton, whom they all willingly obeyed, advanced towards Launceston, where the committee had fortified, and from thence had sent messages of great contempt upon the proceedings of the sessions; for, besides their confidence in their own Cornish strength, they had a good body of horse to second them upon all occasions, in the confines of Devon.

Sir George Chudleigh, a gentleman of good fortune and reputation in that county, and very active for the militia, being then at Tavistock, with five or six full troops of horse, raised in that county to go to their army, but detained till Cornwall could be settled; and upon the news of sir Ralph Hopton's advancing, these drew to Litton, a village in Devonshire, but within three miles of Launceston. Sir Ralph Hopton marched within two miles of the town, where he refreshed his men, intending, the next morning early, to fall on the town: but sir Richard Buller, and his confederates, not daring to abide the storm, in great disorder quitted the town that night, and drew into Devonshire, and so towards Plymouth; so that in the morning sir Ralph Hopton found the gates of Launceston open, and entered without resistance. As the submission to, and reverence of, the known practised laws had, by the sheriff's authority, raised this army within very few days, so the extreme superstition to it as soon dissolved it. For when all the persons of honour and quality, who well knew the desperate formed designs of the other party, earnestly pressed the pursuing the disheartened and dismayed rebels into Devon, by which they should quickly increase their numbers, by joining with the well affected in that large and populous county, who were yet awed into silence; it was powerfully objected, "that the sheriff, by whose legal authority only that force was drawn together, might not lawfully march out of his own county; and that it was the principal privilege of the trained bands, that they might not be compelled to march farther than the limits of their shire."

How grievous and inconvenient soever this doctrine was discerned to be, yet no man durst presume so far upon the temper of that people, as to

object policy or necessity to their notions of law. And therefore, concealing, as much as was possible, the true reasons, they pretended their not following the enemy proceeded from apprehension of their strength, by joining with sir George Chudleigh, and of want of ammunition, (either of which were not unreasonable,) and so marched to Saltaash, a town in Cornwall upon an arm of the sea; which only divided it from Plymouth and Devon, where was a garrison of two hundred Scots; who, upon the approach of sir Ralph Hopton, as kindly quit Saltaash, as the others had Launceston before. So that being now entirely masters of Cornwall, they fairly dismissed those who could not be kept long together, and retired with their own handful of horse and dragoons, till a new provocation from the enemy should put fresh vigour into that county.

In the mean time, considering the casualty of those trained bands, and that strength, which on a sudden could be raised by the *posse comitatus*, which, though it made a gallant show in Cornwall, they easily saw would be of no use towards the quenching the general rebellion over England, they entered upon thoughts of raising voluntary regiments of foot; which could be only done by the gentlemen of that country among their neighbours, and tenants, who depended on them. Sir Bevil Greenvil, (the generally most loved man of that county,) sir Nicholas Slanning, the gallant governor of Pendennis castle, John Arundel, and John Trevannion, two young men of excellent hopes, and heirs to great fortunes in that country, (all four of them members of the house of commons, and so better informed, and acquainted with the desperate humours of the adverse party,) undertook the raising regiments of volunteers; many young gentlemen, of the most considerable families of the county, assisting them as inferior officers. So that, within a shorter time than could be expected, from one single small county, there was a body of foot, of near fifteen hundred, raised, armed, and well disciplined for action. But there was then an accident, that might have discomposed a people which had not been very well prepared to perform their duties.

The lord Mohun (who had departed from York from the king with all professions of zeal and activity in his service) had, from the time of the first motion in Cornwall, forborne to join himself to the king's party; staying at home at his own house, and imparting himself equally to all men of several constitutions, as if he had not been yet sufficiently informed which party to adhere to. But after all the adverse party was driven out of Cornwall, and the fame of the king's marching in the head of an army, and having fought the battle at Edge-hill, (the event whereof was variously reported,) without acquainting any body with his intention, he took a journey towards London, at the time when the king marched that way, and presented himself to his majesty at Brentford, as sent from sir Ralph Hopton and the rest of those gentlemen engaged in Cornwall; though many men believed that his purpose was in truth for London, if he had not then found the king's condition better than it was generally believed. Upon his lordship's information of the state of those western parts, and upon a supposition that he spake the sense and desires of those from whom he pretended to come, the king granted a commission jointly to his lordship,

sir Ralph Hopton, sir John Berkley, and colonel Ashburnham, to govern those forces, in the absence of the lord marquis of Hertford; with which he returned into Cornwall, and immediately raised a regiment of foot; behaving [himself] as actively, and being every way as forward in the advancing the great business, as any man; so that men imputed his former reservedness, only to his not being satisfied in a condition of command.

On the other side, they who were concerned in that alteration were not at all well contented. For before, those gentlemen of Cornwall, upon whose interest and activity the work depended, had, with great readiness, complied with the other, both out of great value of their persons, with whom they had good familiarity and friendship, and in respect of their authority and commissions, with which they came qualified in that county: for, as was remembered before, sir Ralph Hopton had a commission from the marquis of Hertford, to be lieutenant general of the horse; sir John Berkley, to be commissary general; and colonel Ashburnham, to be major general of the foot; so that there was no dispute of commands. But now, the lord Mohun's coming into an equal command with any, and superior to those who thought their reputation and interest to be superior to his, (for he had not the good fortune to be very gracious in his own country,) and this by his own sollicitation and interposition, gave them some indignation. However their public-heartedness, and joint concernment in the good cause, so totally suppressed all animosities, or indeed indispositions, that a greater concurrence could not be desired in whatsoever could contribute to the work in hand; so that they not only preserved Cornwall entire, but made bold incursions into Devon, even to the walls of Plymouth and Exeter; though the season of the year, being the deep winter, and the want of ammunition, forced them to retire into Cornwall.

The reputation of their being masters of that one county, and the apprehension of what they might be shortly able to do, [made] the parliament think it time to take more care for their suppression. And therefore they sent their whole forces out of Dorset and Somerset, to join with those of Devon, to make an entire conquest of Cornwall. With these, Ruthen (a Scotchman, then governor of Plymouth) advanced into Cornwall, by a bridge over the Tamar, six miles above Saltaash, (where he had before endeavoured to force his passage by water, but had been beaten off with loss,) having mastered the guard there; the earl of Stamford following him, two or three days' march behind, with a new supply of horse and foot; albeit those the Scotchman had with him were much superior to those of the king's; which, upon this sudden invasion, were forced to retire with their whole strength to Bodmin; whither, foreseeing this storm some few days before it came, they had again summoned the *posse comitatus*, which appeared in considerable numbers.

They had scarce refreshed themselves there, and put their men in order, when Ruthen, with his horse, foot, and cannon, was advanced to Liskard, within seven miles of Bodmin; from whence they moved towards the enemy with all alacrity, knowing how necessary it was for them to fight before the earl of Stamford, who was at that time come to Launceston with a strong party of horse and foot, should be able to join with the rebels.

And as this consideration was of importance to hasten the one, so it prevailed with the other party too; for Ruthen, apprehending that his victory, of which he made no question, would be clouded by the presence of the earl of Stamford, who had the chief command, resolved to despatch the business before he came. And so sir Ralph Hopton (to whom the other commissioners, who had a joint authority with him, willingly devolved the sole command for that day, lest confusion of orders might beget distraction) was no sooner known to be drawing towards him, (to whom a present battle was so necessary, that it was resolved, upon all disadvantages, to have fallen on the enemy in the town rather than not fight,) but Ruthen likewise drew out his forces, and, choosing his ground upon the east side of Bradock-Down near Liskard, stood in battalia to expect the enemy: sir Ralph Hopton, having likewise put his men in order, caused public prayers to be said, in the head of every squadron, (which the rebels observing, told their fellows, "they were at mass," to stir up their courages in the cause of religion,) and having winged his foot with his horse and dragoons, he advanced within musket-shot of the enemy, who stood without any motion. Then perceiving that their cannon were not yet come up from the town, he caused two small iron minion drakes (all the artillery they had) to be drawn, under the cover of little parties of horse, to a convenient distance from the body of the enemies; and after two shots of those drakes, (which being not discerned, and doing some execution, struck a great terror into them,) advanced with his body upon them; and, with very easy contention, beat them off their ground; they having lined the hedges behind them with their reserve, by which they thought securely to make their retreat into the town. But the Cornish so briskly bestirred themselves, and pressed them so hard on every side, being indeed excellent at hedge-work, and that kind of fight, that they quickly won that ground too, and put their whole army in a rout, and had the full execution of them as far as they would pursue. But, after that advantage, they were always more sparing than is usually known in civil wars, shedding very little blood after resistance was given over, and having a very noble and Christian sense of the lives of their brethren: inasmuch as the common men, when they have been pressed by some fiercer officer, to follow the execution, have answered, "they could not find in their hearts to hurt men who had nothing in their hands."

In this battle, without the loss of any officer of name, and very few common men, they took twelve hundred and fifty prisoners, most of their colours, all their cannon, being four brass guns, (whereof two were twelve pounders,) and one iron saker, all their ammunition, and most of their arms. Ruthen himself, and those few who could keep pace with him, fled to Saltash; which he thought to fortify, and by the neighbourhood of Plymouth, and assistance of the shipping, to defend; and thereby still to have an influence upon a good part of Cornwall. The earl of Stamford, receiving quick advertisement of this defeat, in great disorder retired to Tavistock, to preserve the utmost parts of Devon from incursions. Hereupon, after a solemn thanksgiving to God for this great victory, (which was about the middle of January,) and a little refreshing their men at Liskard, the king's forces divided

themselves; sir John Berkley, and colonel Ashburnham, with sir Bevil Greenvil, sir Nicholas Slanning's and colonel Trevannion's voluntary regiments, and such a party of horse and dragoons as could be spared, advanced to Tavistock to visit the earl of Stamford; the lord Mohun and sir Ralph Hopton, with the lord Mohun's and colonel Godolphin's voluntary regiments, and some of the trained bands, marched towards Saltash, to dislodge Ruthen; who in three days (for there was no more between his defeat at Bradock-Down, and his visitation at Saltash) had cast up such works, and planted such store of cannon upon the narrow avenues, that he thought himself able, with the help of a goodly ship of four hundred tons, in which were sixteen pieces of cannon, which he had brought up the river to the very side of the town, to defend that place against any strength was like to be brought against him. But he quickly found that the same spirit possessed his enemies that drove him from Liskard, and the same that possessed his own men when they fled from thence; for as soon as the Cornish came up, they fell upon his works, and in a short time beat him out of them; and then out of the town, with a good execution upon them; many being killed, and more drowned: Ruthen himself hardly getting into a boat, by which he got into Plymouth, leaving all his ordnance behind him, which, together with the ship, and seven score prisoners, and all their colours, which had been saved at Liskard, were taken by the conquerors, who were now again entire masters of Cornwall.

The earl of Stamford had not the same patience to abide the other party at Tavistock, but, before their approach, quitted the town; some of his forces making haste into Plymouth, and the rest retiring into Exeter. And so, though the old superstition, of not going out of the county, again disbanded the trained bands, the Cornish, with all their voluntary forces, drew into Devon, and fixed quarters within less than a mile of Plymouth, and kept guards even within musket shot of their line. Sir John Berkley in the mean time with a good party volant, of horse and dragoons, with great diligence and gallantry, visiting all places in Devon, where their people were gathered together, and dissolving them, took many prisoners of name; and so kept James Chudleigh, the major general of the parliament forces, from raising a body there; which he industriously intended.

In those necessary and brisk expeditions [in] falling upon Chagford (a little town in the south of Devon) before day, the king lost Sidney Godolphin, a young gentleman of incomparable parts; who, being of a constitution and education more delicate, and unacquainted with contentions, upon his observation of the wickedness of those men in the house of commons, of which he was a member, out of the pure indignation of his soul, and conscience to his country, had, with the first, engaged himself with that party in the west: and though he thought not fit to take command in a profession he had not willingly chosen, yet as his advice was of great authority with all the commanders, being always one in the council of war, and whose notable abilities they had still use of in their civil transactions, so he exposed his person to all action, travel, and hazard; and by too forward engaging himself in this last, received a mortal shot by a musket, a little above the knee, of

which he died in the instant, leaving the ignominy of his death upon a place, which could never otherwise have had a mention to the world.

After this, which happened about the end of January, in respect of the season of the year, and the want of ammunition, finding that they could make no impression upon the strong holds of the enemy, they retired, with their whole forces, to Tavistock; where they refreshed and rested themselves many days, being willing to ease their fast friends of Cornwall, as much as was possible, from the trouble and charge of their little army. The difficulties they were entangled with were very prodigious; of which one was, that the west was so entirely possessed by the enemy, that they could have no correspondence, or receive any intelligence from the king, not one messenger in ten arriving at his journey's end. Then though the justice and piety of the cause added much power to particular persons in raising an army; yet the money, that was raised for the maintenance and payment of that army, was entirely upon the reputation, credit, and interest of particular men: and how long that spring would supply those streams, the most sanguine among them could not presume; but the want of ammunition troubled them most of all: they had yet had none but what had been taken out of the low store of Pendennis castle, and what they had won from the enemy; the first wanted a supply for its own provision, but which way to procure that supply they could not imagine; and the fear and apprehension of such straits, against which no probable hope occurs, is more grievous and insupportable than any present want.

In this instant, as if sent by Providence, an opportunity found them they had scarce courage to hope for: captain Carteret, the controller of the king's navy, in the beginning of the troubles, after he had refused to have command in their fleets, had without noise withdrawn himself and his family out of England to Jersey, and being there impatient to be quiet, whilst his master was in the field, he transported himself into Cornwall with a purpose to raise a troop of horse, and to engage in that service: when he came thither, he was unanimously importuned by the commanders, after they had acquainted him with their hopeless and desperate want of powder, to assist them in that manner, that the many good ports in their power might be made of some use to them in the supply of powder: whereupon he shortly returned into France; and first upon his own credit, and then upon return of such commodities out of Cornwall as they could well spare, he supplied them with such great proportions of all kinds of ammunitions, that they never found want after.

In the mean time, when they were clouded with that want at Tavistock, some gentlemen of Cornwall who adhered to the rebels, and were thereby dispossessed of their county, made some overtures, "that a treaty might be entered into, whereby the peace of those two counties of Cornwall and Devon might be settled, and the war be removed into other parts." They who had most experience of the humours and dispositions of the factious party, easily concluded the little hope of peace by such a treaty; yet the proposition was so specious and popular, that there was no rejecting it; and therefore they agreed to a meeting between persons chosen of either side; and the earl of Stamford

himself seemed so ingenuous, that, at the very first meeting, to shew their clear intentions, it was mutually agreed, that every person employed and trusted in the treaty should first make a protestation in these words: "I do solemnly vow and protest, in the presence of Almighty God, that I do not only come a commissioner to this treaty, with an hearty and fervent desire of concluding an honourable and firm peace between the two counties of Cornwall and Devon; but also will, to the utmost of my power, prosecute and really endeavour to accomplish and effect the same, by all lawful ways and means I possibly can; first by maintaining the protestant religion established by law in the church of England, the just rights and prerogative of our sovereign lord the king, the just privileges and freedom of parliaments; together with the just rights and liberty of the subjects; and that I am without any intention (by fomenting this unnatural war) to gain, or hope to advantage myself with the real or personal estate of any person whatsoever, or obtaining any office, command, title of honour, benefit, or reward, either from the king's majesty, or either or both houses of parliament now assembled. And this I take, in the presence of Almighty God, and as I shall answer the same at his tribunal, according to the literal sense and meaning of the foregoing words, without any equivocation, mental reservation, or other evasion whatsoever. So help me God."

The taking this protestation with that solemnity, and the blessed sacrament thereupon, made even those, who before expected little fruit from the treaty, believe, that men, being so engaged, would not be liable to those passions and affections, which usually transported that party; and so to hope that some good might proceed from it: and therefore the king's party were easily induced to retire with their forces into Cornwall; and thereupon a truce and cessation was agreed upon, that the treaty might proceed without interruption. In which treaty, the same continuing beyond the expiration of the present year 1642, we shall for the present leave them; that we may take a short survey of the northern parts, and remember by what degrees they came to feel the calamities, and to bear their burden in the civil war.

When the king left Yorkshire, he appointed sir Thomas Glemham, at the desire of the gentlemen of that county, as was before remembered, to stay in York, to order and command those forces, which they should find necessary to raise, to defend themselves from the excursions of Hull, whence young Hotham infested the country more than his father; who was willing enough to sit still in his garrison, where he believed he could make advantage upon the success of either party: and they who were most inclined to the parliament (whereof the lord Fairfax and his son were the chief; from whom the king was so far from expecting any notable mischief, that he left them all at their own houses, when he went thence; and might, if he had thought it requisite, have carried them away prisoners with him) were rather desirous to look on, than engage themselves in the war; presuming that one battle would determine all disputes, and the party which prevailed in that would find a general submission throughout the kingdom. And truly, I believe, there was scarce one conclusion, that hath contributed more to the continuance and length of the

war, than that generally received opinion in the beginning, that it would be quickly at an end. Hereupon, there being but one visible difference like to beget distractions in the country, which was about the militia, the king appointing it to be governed and disposed by the commission of array, and the parliament by its ordinance; for the composing whereof, the gentlemen of the several opinions proposed, between themselves, "that neither the one nor the other should be meddled with; but that all should be contented to sit still, without engagement to either party." This seemed very reasonable to the parliament party, who were rather carried away with an implicit reverence to the name of a parliament (the fatal disease of the whole kingdom) than really transported with the passion and design of the furious part of it; and who plainly discerned, that by much the greatest part of the persons of honour, quality, and interest in the county would cordially oppose their proceedings: for, besides the lord Fairfax, there were in truth few of good reputation and fortune, who run that way. On the other hand, the king's party thought their work done by it; for they having already sent two good regiments of foot, the one under colonel John Bellasis, younger son to the lord viscount Falconbridge, and the other under sir William Pennymen; and two regiments of dragoons, the one under colonel Duncomb; the other, colonel Gowre; besides three or four good troops of horse; and the king being at that distance, that they could not send him farther supply; they thought they had nothing to do, but to keep the country in such a peace, that it might do the king no harm by sending men to the earl of Essex, or adhering to the garrison of Hull; and concluding, as the other did, that the decision between the king and parliament would be at the first encounter. Upon these deliberations, articles were solemnly drawn up, consented to and subscribed by the lord Fairfax, and Harry Bellasis, the heir apparent of the lord Falconbridge, who were the two knights who served in parliament for Yorkshire, nearly allied together, and of great kindness till their several opinions and affections had divided them in this quarrel; the former adhering to the parliament; the latter, with great courage and sobriety, to the king.

With them, the principal persons of either party subscribed the articles, and gave their mutual faiths to each other, that they would observe them; being indeed no other than an engagement of neutrality, and to assist neither party. Of all the gentry of Yorkshire, there were only two dissenters on the parliament side; young Hotham, and sir Edward Rhodes; who, though of the better quality, was not so much known, or considered, as the other. But they quickly found seconds enough; for the parliament no sooner was informed of this transaction, than they expressed their detestation of it, and gently in words (though scornfully in matter) reprehending the lord Fairfax, and his party, "for being cozened and overreached by the other;" they declared, "that none of the parties to that agreement had any authority to bind that country to any such neutrality, as was mentioned in that agreement; it being a peculiar and proper power and privilege of parliament, where the whole body of the kingdom is represented, to bind all, or any part thereof: that it was very prejudicial and dangerous to the whole kingdom, that one

"county should withdraw themselves from the assistance of the rest, to which they were bound by law, and by several orders and declarations of parliament: that it was very derogatory to the power and authority of parliament, that any private men should take upon them to suspend the execution of the ordinance of the militia, declared by both houses to be according to law, and very necessary, at that time, for the preservation of the peace and safety of the kingdom. And therefore, they said, they thought themselves bound in conscience to hinder all further proceedings upon that agreement; and ordered, that no such neutrality should be observed in that county. For if they should suffer particular counties to divide themselves from the rest of the kingdom, it would be a means of bringing all to ruin and destruction." And therefore they further declared, that "neither the lord Fairfax, nor the gentlemen of Yorkshire, who were parties to those articles, nor any other inhabitants of that county, were bound by any such agreement; but required them to pursue their former resolutions, of maintaining and assisting the parliament, in defence of the common cause, according to the general protestation wherein they were bound with the rest of the kingdom, and against the particular protestation by themselves lately made; and according to such orders and commissions as they should receive from both houses of parliament, from the committee of the lords and commons appointed for the safety of the kingdom, or from the earl of Essex, lord general." And, lest this their declaration should not be of power enough to dissolve this agreement, they published their resolution, and directed that "Mr. Hotham and sir Edward Rhodes should proceed upon their former instructions; and that they should have power to seize and apprehend all delinquents that were so voted by the parliament, and all such others, as delinquents, as had, or did shew themselves opposite and disobedient to the orders and proceedings of parliament."

Upon this declaration, and vote, not only young Hotham fell to the practice of acts of hostility, with all license, out of the garrison at Hull: out the lord Fairfax himself, and all the gentlemen of that party, who had, with that protestation, signed the articles, instead of resenting the reproach to themselves, tamely submitted to those unreasonable conclusions; and, contrary to their solemn promise and engagement, prepared themselves to bear a part in the war, and made all haste to levy men.

Upon so great a disadvantage were the king's party in all places; who were so precise in promises, and their personal undertakings, that they believed they could not serve the king, and his cause, if their reputation and integrity were once blemished, though some particular contract proved to his disadvantage: whilst the others exposed their honours for any present temporary conveniences, and thought themselves absolved by any new resolution of the houses, to whose custody their honour and ingenuity was committed. The present disadvantage of this rupture was greater to the king's party there, than to the other. For, (besides that many, who concurred with them very frankly and solicitously in the neutrality, separated themselves from them now there was a necessity

of action) they had neither money to raise men, nor arms to arm them; so that the strength consisted in the gentlemen themselves, and their retinue; who, by the good affections of the inhabitants of York, were strong enough to secure one another within the walls of that city. Then the earl of Cumberland, in whom the chief power of command was to raise men and money in a case of necessity, though he was a person of entire devotion to the king, was in his nature unactive, and utterly unexperienced in affairs and exigents of that nature.

On the other hand, the opposite party was strengthened and enabled by the strong garrison of Hull, whence young Hotham, on all occasions, was ready to second them with his troop of horse, and to take up any well affected person who was suspected to be loyal; which drove all resolved men from their houses into York, where they only could be safe. They could have what men more they desired from London, and both ready money from thence to Hull, and ordinances to raise what they would in the county to pay them. Leeds, Halifax, and Bradford, three very populous and rich towns, (which depending wholly upon clothiers naturally maligned the gentry,) were wholly at their disposition. Their neighbours in Lincolnshire were in a body to second them, and sir John Gell was on the same behalf possessed of Derby, and all that county, there being none that had the hardiness yet, to declare there for the king. So that, if sir John Hotham's wariness had not kept him from being active, and his pride, and contempt of the lord Fairfax, upon whom the country chiefly depended, hindered him from seconding and assisting his lordship; or if anyman had had the entire command of those parts and forces, to have united them, the parliament had, with very little resistance, been absolute masters of all Yorkshire; and, as easily, of the city itself. But their want of union in the by, though they agreed too well in the main, gave the king's party time to breathe, and to look about for their preservation. Thereupon they sent to the earl of Newcastle for assistance; offering, "if he would march into "Yorkshire, they would join with him, and be "entirely commanded by him;" the earl of Cumberland willingly offering to wave any title to command.

It was before remembered, that, when the king left York, he had sent the earl of Newcastle, as a person of great honour and interest in those parts, to be governor of Newcastle; and so to secure that port, that the parliament might neither seize it, nor the Scots be bribed by it to come to the assistance of their brethren. Which commission from the king his lordship no sooner executed, without the least hostility, (for that town received him with all possible acknowledgments of the king's goodness in sending him,) but he was impeached by the house of commons of high treason. From his going thither, (which was in August,) till toward the end of November, the earl spent his time in disposing the people of Northumberland, and the bishopric of Durham, to the king's service, and to a right understanding of the matters in difference; in the fortifying Newcastle, and the river; whereby that harbour might only be in the king's obedience; in raising a garrison for that place, and providing arms for a farther advance of the king's service. Then he provided for the assist-

ance of his friends in Yorkshire, whose condition grew every day more desperate. For the parliament, finding the inconveniences of having no commander in chief in those parts, had caused their generalissimo, the earl of Essex, to send a commission to the lord Fairfax, "to command all "the forces of Yorkshire, and the adjacent counties, in chief;" by which, in less time than could be reasonably imagined, he was able to draw together an army of five or six thousand horse and foot; so that York must presently have been swallowed up.

But, in the beginning of December, the earl of Newcastle marched to their relief; and having left a good garrison in Newcastle, and fixed such small garrisons in his way, as might secure his communication with that port, to which all his ammunition was to be brought; with a body of near three thousand foot, and six or seven hundred horse and dragoons, without any encounter with the enemy, (though they had threatened loud,) he entered York; having lessened the enemy's strength, without blood, both in territories and men. For, as soon as he entered Yorkshire, two regiments raised in Richmondshire and Cleveland dissolved of themselves; having it yet in their choice to dwell at home, or to leave their houses to new comers. The earl being now master of the north as far as York, thought rather of forming an army, and providing money to pay it, than of making any further progress in the winter; and therefore suffered the lord Fairfax to enjoy the southern part of that large rich county, till the spring, and his improved posture, should enable him to advance: yet few days passed without blows, in which the parliament forces had usually the worst.

Shortly after the earl's coming to York, general King repaired to him, whom he made lieutenant general of his army; who, notwithstanding the unavoidable prejudice of his being a Scotchman, ordered the foot with great wisdom and dexterity: the charge of the horse being at the same time committed to general Goring; who, by the queen's favour, notwithstanding all former failings, was recommended to that province, and quickly applied himself to action: so that, though the lord Fairfax kept Selby and Cawood, both within a small distance from York, the earl was absolute master of the field. And now the north yielding secure footing for those who had been unreasonably persecuted for their obedience to the king, the queen herself thought of returning into England.

Her majesty had, from her first going into Holland, dexterously laboured to advance the king's interest, and sent very great quantities of arms and ammunition to Newcastle, (though, by the vigilance of the parliament agents in those parts, and the power of their ships, too much of it was intercepted,) with some considerable sums of money, and good store of officers; who, by the connivance of the prince of Orange, came over to serve their own king. And from this extraordinary care of her majesty's, and her known grace and favour to the person of the earl of Newcastle, who she well knew had contracted many enemies by the eminency of his devotion to the king, that army was by the parliament styled *the queen's army*, and *the catholic army*, thereby to expose her majesty the more to the rude malice of the people, and the army to their prejudice; persuading them "that it consisted of none but professed papists,



"who intended nothing but the extirpation of the "protestants, and establishing their own profession."

About the middle of February, the queen took shipping from Holland, in a States man of war, assigned by the prince of Orange with others for her convoy, and arrived safely in Burlington Bay, upon the coast of Yorkshire; where she had the patience to stay on shipboard at anchor, the space of two days, till the earl had notice, "to draw such "a part of his forces that way, as might secure "her landing, and wait on her to York;" which he no sooner did, (and he did it with all imaginable expedition,) but her majesty came on shore; and, for the present, was pleased to refresh herself in a convenient house upon the very key, where all accommodations were made for her reception; there being many things of moment to be unshipped before she could reasonably enter upon her journey towards York.

The second day after the queen's landing, Batten, vice-admiral to the earl of Warwick, (who had waited to intercept her passage,) with four of the king's ships, arrived in Burlington Road; and, finding that her majesty was landed, and that she lodged upon the key, bringing his ships to the nearest distance, being very early in the morning, discharged above a hundred cannon (whereof many were laden with cross-bar-shot) for the space of two hours upon the house where her majesty was lodged: whereupon she was forced out of her bed, some of the shot making way through her own chamber; and to shelter herself under a bank in the open fields; which barbarous and treasonable act was so much the more odious, in that the parliament never so far took notice of it, as to disavow it. So that many believed it was very pleasing to, if not commanded by them; and that, if the ships had encountered at sea, they would have left no hazard unrun to have destroyed her majesty.

The queen shortly after removed to York, and the king's affairs prospered to that degree, that, as the earl of Newcastle had before fixed a garrison at Newark in Nottinghamshire, which kept the forces of Lincoln from joining entirely with the lord Fairfax, and had with great courage beaten off a formed body of the rebels who attempted it; so he now sent Charles Cavendish, the younger brother of the earl of Devonshire, with a party volant of horse and dragoons, into Lincolnshire; where, about the middle of March, he assaulted Grantham, a new garrison of the rebels; which he took, and in it above three hundred prisoners, with all their officers, arms, and ammunition: and, about the same time, sir Hugh Cholmondeley, who had done very notable service to the parliament, and oftener defeated the earl of Newcastle's troops (though he had been in truth hurried to that party, rather by the engagement of sir John Hotham, with whom he had long friendship, than by his own inclination) than any officer of those parts, very frankly revolted to his allegiance; and waiting on her majesty for her assurance of his pardon, delivered up the castle of Scarborough (a place of great importance) to the king; the command and government whereof was again by the earl committed to him; which he discharged with courage and singular fidelity. By this means, and those successes, the lord Fairfax quitted Selby, Cawood, and Tadcaster, and retired to Pomfret and Hali-

fax; whereby the earl was, upon the matter, possessed of that whole large county, and so able to help his neighbours. This was the state of that part of the north which was under the earl of Newcastle's commission: for Lancashire, Cheshire, and Shropshire, were in a worse condition; of which, and the neighbour counties, it will be necessary in the next place to say somewhat; and of those first which lie farthest off.

We have said before, that when the king left Shrewsbury, and marched to meet the earl of Essex, (which he did at Edgehill,) all his designs being to come to a battle; and the opinion of most, that a battle would determine all; he was to apply all the strength and forces he could possibly raise, to the increasing his army; so that he left no one garrison behind him, but relied upon the interest and authority of the lord Strange, (who was, by the death of his father, now earl of Derby,) to suppress all commotions and insurrections, which might happen in the counties of Lancashire and Cheshire; which his lordship was confident he should be able to do, and was then generally believed to have a greater influence upon those two counties, and a more absolute command over the people in them, than any subject in England had, in any other quarter of the kingdom. The town of Shrewsbury, and that good county, where the king had been so prosperous, (and by which the people were more engaged,) he intrusted only to that good spirit that then possessed it, and to the legal authority of the sheriffs and justices of the peace. And it fared in those counties as in all other parts of the kingdom, that the number of those who desired to sit still was greater than of those who desired to engage in either party; so that they were generally inclined to articles of neutrality. And in Cheshire, the active people of both sides came to those capitulations, with as much solemnity as had been in Yorkshire, and with the same declaration (so much the same, that there was no other difference but alterations of names and places) were absolved from the observation of them. And then sir William Bruerton, a gentleman of a competent fortune in that county, and knight for that shire in parliament, but most notorious for a known aversion to the government of the church, bringing with him from London a troop of horse, and a regiment of dragoons, marched thither to protect those who were of that party, and, under such a shelter, to encourage them to appear.

The city of Chester was firm to the king, by the virtue of the inhabitants, and interest of the bishop, and cathedral men; but especially by the reputation and dexterity of Mr. [O.] Bridgman, son to the bishop, and a lawyer of very good estimation; who not only informed them of their duties, and encouraged them in it, but upon his credit and estate, both which were very good, supplied them with whatsoever was necessary for their defence; so that they were not put to be honest and expensive together. But as they had no garrison of soldiers, so they had no officer of skill and experience to manage and direct that courage which, at least, was willing to defend their own walls; which they were now like to be put to. Therefore the king sent thither sir Nicholas Byron, a soldier of very good command, with a commission to be "colonel general of Cheshire and Shropshire; and to be governor of



"Chester;" who being a person of great affability and dexterity, as well as martial knowledge, gave great life to the designs of the well-affected there; and, with the encouragement of some gentlemen of North Wales, in a short time raised such a power of horse and foot, as made often skirmishes with the enemy; sometimes with notable advantage, never with any signal loss; so that sir William Bruerton fortified Nantwich, as the king's party did Chester: from which garrisons, which contained both their forces, they contended which should most prevail upon, that is most subdue, the affections of the county, to declare for and join with them. But the fair expectation of Cheshire was clouded by the storms that arose in Lancashire, where men of no name, and contemned interest, by the mere credit of the parliament, and frenzy of the people, on a sudden snatched that large and populous county from their devotion to the great earl of Derby.

The town of Manchester had, from the beginning, (out of that factious humour which possessed most corporations, and the pride of their wealth,) opposed the king, and declared magisterially for the parliament. But as the major part of the county consisted of papists, of whose insurrections they had made such use in the beginning of the parliament, when they had a mind to alarm the people with dangers; so it was confidently believed, that there was not one man of ten throughout that county, who meant not to be dutiful and loyal to the king: yet the restless spirit of the seditious party was so sedulous and industrious, and every one of the party so ready to be engaged, and punctually to obey; and, on the other hand, the earl of Derby so unactive, and through greatness of mind so uncomplying with those who were fuller of alacrity, and would have proceeded more vigorously against the enemy; or, through fear so confounded, that, instead of countenancing the king's party in Cheshire, which was expected from him, the earl, insensibly, found Lancashire to be almost possessed against him; the rebels every day gaining and fortifying all the strong towns, and surprising his troops, without any considerable encounter. And yet, so hard was the king's condition, that, though he knew those great misfortunes proceeded from want of conduct, and of a vigorous and expert commander, he thought it not safe to make any alteration, lest that earl might be provoked, out of disdain to have any superior in Lancashire, to manifest how much he could do against him, though it appeared he could do little for him. Yet it was easily discerned, that his ancient power there depended more upon the fear than love of the people; there being very many, now in this time of liberty, engaging themselves against the king, that they might not be subject to that lord's commands.

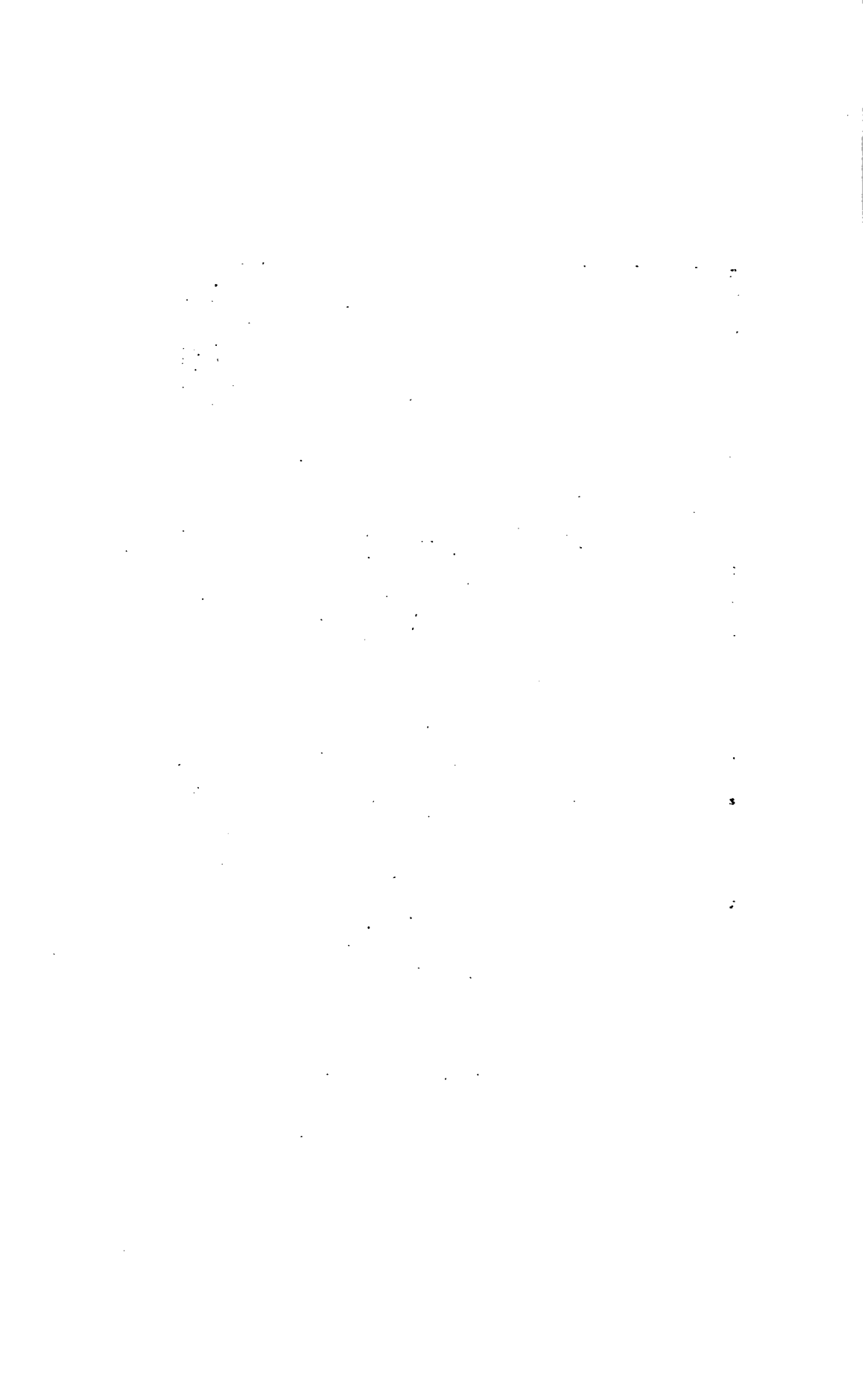
However, the king committing Lancashire still to his lordship's care, (whose fidelity, without doubt, was blameless, whatever his skill and courage was,) he sent the lord Capel to Shrewsbury, with a commission of "lieutenant general of Shropshire, Cheshire, and North Wales;" who, being a person of great fortune and honour, quickly engaged those parts in a cheerful association; and raised a body of horse and foot, that gave sir William Bruerton so much trouble at Nantwich, that the garrison at Chester had breath to enlarge its quarters, and to provide for its own security; though the enemy

omitted no opportunity of infesting them, and gave them as much trouble as was possible. And it cannot be denied but sir William Bruerton, and the other gentlemen of that party, albeit their education and course of life had been very different from their present engagements, and for the most part were very unpromising to matters of courage, and therefore were too much contemned enemies, executed their commands with notable sobriety, and indefatigable industry, (virtues not so well practised in the king's quarters,) insomuch as the best soldiers who encountered with them had no cause to despise them. It is true, they had no other straits and difficulties to struggle with, than what proceeded from their enemy; being always supplied with money to pay their soldiers, and with arms to arm them; whereby it was in their power not to grieve and oppress the people. And thereby (besides the spirit of faction that much governed) the common people were more devoted to them, and gave them all intelligence of what might concern them; whereas they who were intrusted to govern the king's affairs had intolerable difficulties to pass through; being to raise men without money, to arm them without weapons, (that is, they had no magazine to supply them,) and to keep them together without pay; so that the country was both to feed and clothe the soldiers; which quickly inclined them to remember only the burden, and forget the quarrel.

And the difference in the temper of the common people of both sides was so great, that they who inclined to the parliament left nothing unperformed that might advance the cause; and were incredibly vigilant and industrious to cross and hinder whatsoever might promote the king's: whereas they who wished well to him thought they had performed their duty in doing so, and that they had done enough for him, in that they had done nothing against him.

Though, by this sending the lord Capel, those counties of Shropshire and Cheshire, with the assistance of North Wales, kept those parts so near their obedience, that their disobedience was not yet pernicious to the king, in sending assistance to the earl of Essex against his majesty, or to the lord Fairfax against the earl of Newcastle; yet those counties which lay in the line between Oxford and York were, upon the matter, entirely possessed by the enemy. The garrison of Northampton kept that whole county in obedience to the parliament, save that from Banbury the adjacent parishes were forced to bring some contribution thither. In Warwickshire the king had no footing; the castle of Warwick, the city of Coventry, and his own castle of Killingworth, being fortified against him. The lord Grey, son to the earl of Stamford, had the command of Leicestershire, and had put a garrison into Leicester. Derbyshire, without any visible party in it for the king, was under the power of sir John Gell, who had fortified Derby. And all these counties, with Staffordshire, were united in an association against the king under the command of the lord Brook; who was, by the earl of Essex, made general of that association; a man cordially disaffected to the government of the church, and upon whom that party had a great dependence. This association received no other interruption from, or for the king, than what colonel Hastings gave; who, being a younger son to the earl of Huntingdon, had appeared eminently for the king





Approved by W.T. Motte

ROBERT GREVILLE, LORD BROOKE.

OF 1643

FROM HIS OWN COLLECTION

THE RIGHT HON<sup>BLE</sup> THE EARL OF WARWICK



from the beginning; having raised a good troop of horse with the first, and, in the head thereof, charged at Edge-hill.

After the king was settled at Oxford, colonel Hastings, with his own troop of horse only, and some officers which he easily gathered together, went with a commission into Leicestershire, of "colonel general of that county," and fixed himself at Ashby de la Zouch, the house of the earl of Huntingdon, his father, who was then living; which he presently fortified; and, in a very short time, by his interest there, raised so good a party of horse and foot, that he maintained many skirmishes with the lord Grey: the king's service being the more advanced there, by the notable animosities between the two families of Huntingdon and Stamford; between whom the county was divided passionately enough, without any other quarrel. And now the sons fought the public quarrel, with their private spirit and indignation. But the king had the advantage in his champion, the lord Grey being a young man of no eminent parts, and only backed with the credit and authority of the parliament: whereas colonel Hastings, though a younger brother, by his personal reputation, had supported his decaying family; and, by the interest of his family, and the affection that people bore to him, brought, no doubt, an addition of power to the very cause. Inasmuch as he not only defended himself against the forces of the parliament in Leicestershire, but disquieted sir John Gell in Derbyshire, and fixed some convenient garrisons in Staffordshire.

About the same time, some gentlemen of that county, rather well affected than well advised, before they were well enough provided to go through their work, seized [on] the Close in Lichfield for the king; a place naturally strong, and defended with a moat, and a very high and thick wall; which in the infancy of the war was thought a good fortification. To suppress this growing force, within the limits of his association, the lord Brook advanced with a formed body of horse, foot, and cannon; part drawn from the earl of Essex's army, and the rest out of the garrisons of Coventry and Warwick; and, without any resistance, entered the city of Lichfield; which, being unfortified, was open to all comers. The number in the Close was not great, nor their provisions such as should have been, and very well might have been, made; so that he made no doubt of being speedily master of it; sir John Gell having brought up a good addition of strength to him from Derby. He was so far from apprehending any danger from the besieged, that himself lodged in a house within musket-shot of the Close; where, the very day he meant to assault it, sitting in his chamber, and the window open, he was, from the wall of the Close, by a common soldier, shot with a musket in the eye; of which he instantly died without speaking a word.

There were many discourses and observations upon his death, that it should be upon St. Chad's day, (being the second day of March,) by whose name, he being a bishop shortly after the planting of Christianity in this island, that church had been anciently called. And it was reported, that in his prayer, that very morning, (for he used to pray publicly, though his chaplain were in the presence,) he wished, "that, if the cause he were in were not 'right and just, he might be presently cut off.'" They who were acquainted with him believed him

to be well natured and just; and rather seduced and corrupted in his understanding, than perverse and malicious. Whether his passions or conscience swayed him, he was undoubtedly one of those who could have been with most difficulty reconciled to the government of church or state: and therefore his death was looked upon as no ill omen to peace, and was exceedingly lamented by that party; which had scarce a more absolute confidence in any man than in him. However, it brought not that relief to the besieged in the Close as was believed it would; for the same forces, under sir John Gell, proceeded so vigorously in the work, and they within so faintly or unskilfully, that without any of that distress which men thought it might bear, and which it did, within a short time after, bear against the king, the place was yielded without other conditions than of quarter; by which many persons became prisoners, of too good quality to have their names remembered.

By this prize, the spirits of that party were much exalted, and the king's party in those parts as much cast down. Yet some gentlemen betook themselves to the town of Stafford, and having too much declared for the king, when they thought Lichfield would have been of strength to secure them, to hope to live unhurt at their houses, resolved to defend that place; against which the triumphant Gell drew his late fleshed troops. But the earl of Northampton (who intended the relief of Lichfield, if they had had any patience to expect it) with a strong party of horse and dragoons, from his garrison of Banbury, came seasonably to their succour, and put himself into the town; and, the same night, beat up a quarter of the enemy's, in which he killed and took above an hundred of their horse. Sir John Gell retired so far as to meet with sir William Bruerton, who, from Nantwich, was coming to join with him for the subduing of Stafford; and, having done that, resolved to march in a body for the clearing the other counties. When they were joined, being near three thousand foot and horse, with a good train of artillery, they moved back towards Stafford, imagining the earl of Northampton would meet them without the walls: and it so fell out; for the earl no sooner heard that the rebels were drawing towards the town, but he drew out his party to encounter them; imagining it could be only Gell, whose numbers he understood, and whose courage he much undervalued.

It was on a Sunday, about the middle of March, when, in the afternoon, he marched out of Stafford; his party, consisting of horse, and dragoons, and some few foot, the whole number being under one thousand, and found the enemy, in very good order, expecting them upon a place called Hopton-Heath, some two miles from Stafford. Though the number was more than double to the earl's, yet the heath seeming very fair, the breadth of it being more than musket-shot from enclosure on each side, and the number of his horse being at least equal to the other, he resolved to charge them; and accordingly did, with so good success, that he totally routed that part of their horse; and, rallying again his men, he charged the other part of their horse, which stood more in shelter of their foot; and so totally routed and dispersed them, that the enemy had scarce a horse left upon the field; and took likewise from them eight pieces of cannon.

In this second charge, the earl of Northampton, being engaged on the execution, very near or among their foot, had his horse killed under him. So that his own horse (according to their unhappy practice) with too much fury pursuing the chase, he was left encompassed by his enemy, so that what his behaviour was afterwards, and their carriage towards him, can be known only by the testimony of the rebels; who confessed, that, after he was on his feet, he killed with his own hand the colonel of foot who made first haste to him; and that, after his head-piece was stricken off with the butt-end of a musket, they offered him quarter; which, they say, he refused; answering, "that he scorned to take quarter from such base rogues and rebels, as they were." After which, he was slain by a blow with a halbert on the hinder part of his head, receiving, at the same time, another deep wound in his face.

All this time the enemy's foot stood, which (after their horse were dispersed) sir Thomas Byron, who commanded the prince of Wales's regiment, a gentleman of great courage, and of very good conduct, charged with good execution. But the night came on apace, and the field, which they thought so fair, was found full of coal-pits and holes dangerous for their horse; so that they thought fit to forbear farther action, till they might have the morning's light; and stood all that night in the field. When the morning appeared, there was no enemy to be seen. For as soon as the fight ended, and the night drew on, that they were unperceived, they had left the field, in hope that their scattered horse would find them in quarters more remote from the danger. But the victorious party was so harassed with duty, and tired with the fight, so cast down with the loss of their general, and so destitute of officers to direct and command what was next to be done, (for the lord Compton, the earl's eldest son, had received a shot in the leg; sir Thomas Byron a shot in the thigh, whereby they were not able to keep the field; and many other officers hurt,) that they retired to refresh themselves at Stafford, after they had taken the spoil of the field, and buried their dead.

In this fight, which was sharp and short, there were killed, and taken prisoners, of the parliament party, above two hundred, and more than that number wounded. For, the horse charging among their foot, more were hurt than killed. Eight pieces of their cannon, and most of their ammunition was likewise taken. Of the earl's party were slain but five and twenty, whereof there were two captains, some inferior officers, and the rest common men; but there were as many hurt, and those of the chief officers. They who had all the ensigns of victory, but their general, thought themselves undone; whilst the other side, who had escaped in the night, and made a hard shift to carry his dead body with them, hardly believed they were losers:

*• Et, velut equali bellatum sorte fuisset,  
Compositi cum classe virum—*

The truth is, a greater victory had been an unequal recompense for a less loss. He was a person of great courage, honour, and fidelity, and not well known till his evening; having, in the ease, and plenty, and luxury of that too happy time, indulged to himself, with that license which was then

thought necessary to great fortunes: but from the beginning of these distractions, as if he had been awakened out of a lethargy, he never proceeded with a lukewarm temper. Before the standard was set up, he appeared in Warwickshire against the lord Brook, and as much upon his own reputation as the justice of the cause (which was not so well then understood) discountenanced, and drove him out of that county. Afterwards he took the ordnance from Banbury castle, and brought them to the king. As soon as an army was to be raised, he levied, with the first, upon his own charge, a troop of horse, and a regiment of foot, and (not like some other men, who warily distributed their family to both sides, one son to serve the king, whilst his father, or another son, engaged as far for the parliament) entirely dedicated all his children to the quarrel; having four sons officers under him, whereof three charged that day in the field: and, from the time he submitted himself to the profession of a soldier, no man more punctual upon command, no man more diligent and vigilant in duty. All distresses he bore like a common man, and all wants and hardships, as if he had never known plenty or ease; most prodigal of his person to danger; and would often say, "that if he outlived these wars, he was certain never to have so noble a death." So that it is not to be wondered, if, upon such a stroke, the body that felt it, thought it had lost more than a limb.

As soon as it was known where the enemy rested after their retreat, the young earl of Northampton sent a trumpet to sir John Gell, to desire the body of his father, that he might give it such decent burial as became him. Gell and Bruerton jointly, by letter, demanded, "in exchange for the dead body, all their ammunition, prisoners, and cannon, they had lost at the battle;" which demands being so unreasonable, and against the law of arms, the earl sent again to them, to desire, "that if they would not return the corpse, that his chirurgeon might have leave to embalm it, whereby it might be preserved to receive those rites, when they should be willing to gratify him, which, he presumed, upon more dispassionate thoughts, they would be." Their answer to this was as unreasonable as the other; "that they would neither send the body, nor permit his chirurgeons to come to embalm it;" presuming, it is probable, that the piety of the son would have prevailed to have their unheard of propositions complied with.

And so we shall, for the present, leave these parts, and visit the principality of Wales; of which, hitherto, very little hath been said; and from the affection whereof, the king had, from the beginning, a very great benefit; it having supplied him with three or four good regiments of foot, in which many of their gentry were engaged, before the battle of Edge-hill.

It hath been before remembered, that the marquis of Hertford drew with him out of Wales, and brought to Oxford, about Christmas, near two thousand men; leaving Wales guarded only with the courage and fidelity of the gentry and inhabitants. After that, North Wales lying most convenient to back Chester and Shrewsbury, which places, whilst the enemy was master of the field, received their chief supplies of men and provisions from thence; the king always put it under the







Engraved by H. Robinson

**SPENCER COMPTON, EARL OF NORTHAMPTON**

**OB. 1645.**

**FROM THE ORIGINAL IN THE COLLECTION**

**THE MOST NOBLE THE MARQUIS OF NORTHAMPTON**



government of those to whom he committed those parts. South Wales, which is much the larger and richer part of that dominion, he committed to the charge of the lord Herbert, eldest son to the marquis of Worcester; whom he made his lieutenant general, adding Monmouthshire to his commission.

There were, in the opinion of many, great objections against committing that employment to that noble lord, whose person many men loved, and very few hated. First, he had no knowledge or experience in the martial profession; then his religion, being of that sort of catholics the people rendered odious, by accusing it to be most jesuited, men apprehended would not only produce a greater brand upon the king, of favouring papists and popery, than he had been yet reproached with; (for, though he had some papists entertained in his armies, yet all men trusted by him in superior commands were men of unblemished integrity in the protestant religion; and in all his armies he had but one general officer of the contrary religion, sir Arthur Aston, whom the papists notwithstanding would not acknowledge for a papist;) this gave opportunity and excuse to many persons of quality, and great interest in those counties, (between whom and that lord's family there had been perpetual feuds and animosities,) to lessen their zeal to the king's cause, out of jealousy of the other's religion; and those contestations had been lately improved with some sharpness, by the lord Herbert's carriage towards the lord marquis of Hertford, during the time of his residence there; when, out of vanity to magnify his own power, he had not shewed that due regard to that of the other, which he should have had. And no doubt, if he had been of that mind, it would much more have advanced the king's service, if he would have contributed his full assistance to another, who more popularly might have borne the title of such a command.

But, on the other side, the necessity of disposing those parts, divided from the rest of the kingdom, under the command of some person of honour and interest, was very visible; and the expedition in doing it was as penal and necessary; the parliament being possessed of Gloucester and Bristol, and so having such an influence upon the trade and livelihood of that people, by their absolute command of the Severn, that, except there were extraordinary care of keeping them, they would be quickly lost. Besides that, at the same time, there was discourse, in the houses, "of sending the earl of Pembroke thither," whose estate was very great in those parts, and his reputation equal. Then the parliament had already such a footing in Pembrokeshire, that many of the principal gentlemen had declared for them; and the harbour of Milford-Haven gave their fleet opportunity to give them all supplies and relief. This being the state of those parts, the lord Herbert not only offered, but desired to receive that command; and engaged himself, "not only to secure it from the opposition and malignity of the other party, but, before the spring, to raise such a strength of horse and foot, and to provide such an equipage to march with, that might reduce Gloucester, and be then added to the king's army, when he should be ready to take the field; and all this so much at his own charge," (for his father, who was well able,

would furnish money, as was pretended, upon the king's promise to repay him, when he should be restored to his own,) "that he would receive no part of the king's revenue, or of such money as he could be able to draw for the supply of his own more immediate occasions."

This was a very great offer, and such as no man else could so reasonably make. For the marquis of Worcester was generally reputed the greatest monied man of the kingdom; and, probably, might not think it an unthrifty thing, rather to disburse it for the king, who might be able to repay it, than to have it taken from him by the other party; which would be hardly questionable if they prevailed. The lord Herbert himself was a man of more than ordinary affection and reverence to the person of the king, and one, who, he was sure, would neither deceive nor betray him. For his religion, it might work upon himself, but could not disquiet other men. For though he were a papist, he was never like to make others so; and his reputation and interest was very great with many gentlemen of those counties, who were not at all friends to his religion. It was not possible to employ any person of interest and power in those parts, (and there were many objections, from the nature and manners of that people, against a mere stranger,) against whom there would not be some faction and animosity; for the emulations, and dissension between families was general, and notorious; and therefore it would be best to choose such a one, who was like to have a greater faction for him, than against him. And it was to be hoped that the old grudges and prejudices, which had been rather against the house of Worcester, and the popish religion professed there, than against the person of this lord, would have been composed and declined by his fair and gentle carriage towards all men, (as in truth he was of a civil and obliging nature,) and by the public-heartedness of those, who, for the cause, and conscience sake, would, it was hoped, sacrifice all trivial and private contentions to a union that must vindicate the religion, honour, and justice of the kingdom.

Upon these reasons, and these presumptions, the king granted such a commission, as is before mentioned, to the lord Herbert; who, with more expedition than was expected by [many], or by others believed possible, raised a body of above fifteen hundred foot, and near five hundred horse, very well and sufficiently armed; which increased the merit of the service.

The horse he put under the command of his brother, the lord John Somerset, a maiden soldier too; and the foot under colonel Lawly, whom he made his major general, a bold and a sprightly officer. About the middle of February he marched towards Gloucester, with an ill omen at his setting out; for a rabble of country people being got together, without order, or officer of name, barricaded a little village in the forest of Deane, called Cover, (through which he was to pass,) and refused to give him entrance; and out of a window killed colonel Lawly, and two officers more, without hurting a common soldier; whereby that body was destitute of any person of experience to command them. However, the lord Herbert, who was himself seldom with his forces, shortly after placed colonel Brett in that command; who, without any skirmish of importance, marched through the

forest of Deane, and fixed a quarter, which contained his whole body, at the Vineyard, the bishop of Gloucester's palace, within less than half a mile of Gloucester. And by that means, there being only a long bridge over the Severn, by which men could come out or go in to Gloucester, he fully blocked up the town on that side, expecting that prince Maurice from Cirencester should take equal care to distress it on the other; which he did to a good degree.

But sir William Waller, with a light party of horse, and dragoons, near two thousand, from the earl of Essex's army, had made a quick march through Wiltshire, (after his taking of Chichester,) and taking, with little loss and trouble, a small garrison of the king's, consisting of about six or seven score, at Malmsbury, before it was fortified, or provided, made a face of looking towards Cirencester; where when he found he was expected, by a sudden night march, in which he was very dexterous and successful, he posted to the river of Severn, six miles west of Gloucester, from whence he had appointed many flat boats to meet him; and in them, in the light day, the guard of the river being either treacherously or sottishly neglected by the lord Herbert's forces, transported his whole body, which, upon the advantage of that pass, might have been resisted by a hundred men. Hereupon the consternation was so great among the new Welsh soldiers, very few of their officers having ever seen an enemy, that though their works were too good to be entered by horse and dragoons; though the avenues were but narrow, in all which they had cannon planted, and their numbers very near, if not fully, equal to the enemy; upon the advance of sir William Waller upon them, without giving or receiving blow, they fairly sent out to treat; and as kindly delivered up themselves, and their arms, upon the single grant of quarter: a submission so like a stratagem, that the enemy could hardly trust it. Yet, in the end, they made a shift to put near thirteen hundred foot, and three troops of horse, prisoners into Gloucester, the lord Herbert himself being at that time at Oxford, and the lord John Somerset with three or four troops at a safe distance from the rest.

This was the end of that mushroom-army, which grew up and perished so soon, that the loss of it was scarce apprehended at Oxford, because the strength, or rather the number, was not understood. But if the money, which was laid out in raising, arming, and paying that body of men, which never advanced the king's service in the least degree, had been brought into the king's receipt at Oxford, to have been employed to the most advantage, I am persuaded the war might have been ended the next summer. For I have heard the lord Herbert say, "that those preparations, and the other, which" by that defeat were rendered useless, cost above "threescore thousand pounds;" whereof, though much came from the marquis's coffers, yet, no doubt, the general contributions from the catholics made a good part; and very considerable sums were received by him of the king's revenue upon wardships, and other ways: for it was a common practice in those times, for men to get into employments upon promises, that they would not do this or that, without which nobody else would undertake that service; and being, upon those terms, received into it, they immediately did the other, because no other man could do the service without it.

The fame of this prodigious victory so subdued all those parts, that sir William Waller, with the same spirit of celerity, and attended with the same success, flew to Hereford; and, being a walled town, and replenished with a garrison, had that likewise delivered to him upon the same terms as the other was; and from thence (being with more confidence refused to be admitted into Worcester, than he thought reasonable to require it) passed to Tewkesbury; which he likewise surprised, being newly garrisoned; his motion being so quick, that though prince Maurice attended him with all possible diligence, he could never farther engage him than in light skirmishes; and, having taken this progress, returned safe to Gloucester; and from thence to the earl of Essex's army; having made no other use of his conquests, than the dishonouring so many places, which had so quietly yielded to him; into which (for he fixed no one garrison) the king's forces immediately entered again. So that his majesty's quarters continued the same they were, harassed only, and discountenanced, nothing straitened by this incursion; and the lord Herbert again intended new levies.

Having now, with as much clearness as I could, remembered the true state of the king's affairs, and the condition of the kingdom, at the end of this year 1642, with which I intend to conclude this sixth book; I shall, before I return to Oxford, to conclude the year, briefly call to remembrance the disconsolate state of Ireland; of which, advantage was always taken against the king, to render him odious to the people, as if he countenanced, at least not sufficiently abhorred, that wicked and unnatural rebellion. And this imputation was with so great art insinuated, that it got credit with many; insomuch as I have heard some, who could make no other excuse for adhering to the parliament, than, "they were persuaded that the king" favoured those rebels;" which, they said, "could" not be without some design upon the religion, "liberty, and prosperity of England." Whereas I can aver truly, upon as good grounds as ever any man spoke the heart of another, that the king always looked upon it, as the most groundless, bloody, and wicked rebellion, that ever possessed the spirits of that people; and was not more grieved at any one circumstance of the domestic distraction, than as it hindered him from chastising and taking vengeance upon the other: which from his soul he desired.

But in this discourse of Ireland, it cannot be imagined, neither do I intend to mention all the memorable actions, (in which were as great instances of God's own detestation of those inhuman rebels, by the signal victories he gave against them,) or other transactions within that kingdom; but shall remember no more of that business, than had immediate reference to, and dependence on, the difference between the king and the two houses of parliament.

It is said before, that when the first visible rupture was declared between them, which was in the business of Hull, (which the king understood to be a direct levying of war against him,) in the protestation made by his majesty, "that he would" no farther treat or concur with them in any acts "proposed by them, till he first received reparation" or satisfaction in that particular;" he always excepted what should any way concern Ireland:





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*Engraved by H. Rubens*

**EDWARD SOMERSET, LORD HERBERT.**

**OB 1667.**

**FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF**

**HIS GRACE THE DUKE OF BEAUFORT**





in which he offered to consent to whatsoever might reasonably conduce to the reducing those rebels; and did, after that, concur in some propositions of that nature. Yet it is certain that, from that time, the two houses were so busy in preparing the war for England, that they did very little advance the war of Ireland; save only by some small supplies of money and provisions. The king objected to them, "the employing the monies, raised, by acts of parliament, for the preservation and reduction of Ireland, with a special clause that the same should not be diverted to any other use whatsoever, in the supporting the unnatural war and rebellion against his majesty; particularly one hundred thousand pounds at one time; and that many soldiers, raised under pretence of being sent into Ireland, were, contrary to their expectation and engagement, forced to serve under the earl of Essex against the king;" of which he named sir Faithful Fortescue's regiment of horse, and the lord Wharton's and the lord Kerry's regiment of foot.

To this they answered, "that albeit they had, upon the urgent occasions of this kingdom, sometimes made use of monies raised and collected for Ireland; yet that they had in due time repaid it, and that the other affairs had never suffered by the loan: and for the men, that it proceeded from his majesty's own default; for after they had raised them, with a serious intention to send them into Ireland, under the command of the lord Wharton, the king refused to grant a commission to him to transport them, and so they had been compelled to use them in their own service here."

The king replied, "that it appeared, they had diverted that money to other uses than those for which it was provided; which was manifestly unlawful; and that it did not appear they had again reimbursed it, because very little supply was sent thither, and very much wanted: and for the soldiers, that they first levied them, without his majesty's leave; which they had always before asked, for their other levies; and being levied, they desired a commission for the lord Wharton to command them absolutely, without any dependence upon the lord lieutenant of Ireland; which had been never heard of, and which his majesty refused; but offered such a commission as was granted to other men."

On the other hand, they objected to the king, "the seizing some cart-horses at Chester, provided for the train of artillery for Ireland; that his forces had taken many clothes and provisions on the road, which were going to Chester to be transported thither for the relief of the soldiers; and that he entertained and countenanced men in his court, which were favourers or actors in that rebellion:" naming the lord viscount Costeloe, and the lord Taffe, which gave great umbrage to those who were well affected, and as great encouragement to the rebels there.

To the first, the king confessed, "he found about six score horses at Chester, which had long lain there; and, at his remove from Nottingham, knowing the other horse and men raised for Ireland were then marching with the earl of Essex against him, he knew not but these likewise might be so employed, and therefore in his own necessity took them for his own draughts. For the clothes, which had been taken by his

soldiers, that it proceeded by the default of the parliament; who, after the war was begun, had sent those carriages through his quarters, without sending to his majesty for a safe conduct, or giving any notice to him of it, till after they were taken: that it was within two miles of Coventry (which was then in rebellion) that those clothes were taken; and that, as soon as he knew they were designed for Ireland, his majesty had used the best means he could to recover them; but that the soldiers, who were almost naked, had divided them for their own supplies; and his majesty offered to give a safe conduct at all times for whatsoever should be designed for Ireland."

The occasion of the other reproach, "for countenancing persons who adhered to the rebels," was this. The lords Dillon (viscount Costeloe) and Taffe had, four months before, passed out of Ireland into England, having never been in consort with the rebels, but so much trusted by them, that they desired, by their hands, to address a petition to the king; humble enough, desiring "only to be heard, and offering to submit to his majesty's single judgment." With this petition, and all other instructions, as they pretended, these lords acquainted the lords justices and council of Ireland; who were so well satisfied with the persons employed, that they granted their safe pass, and sent letters by them of testimony. They were no sooner landed in England, but they were apprehended, and sent prisoners to the parliament, and by them committed with all strictness, "as agents employed by the rebels of Ireland to the king;" and that circumstance enforced, and spread among the people, with all licentious glosses against the king; who, for that reason, took no notice of their restraint, though from his ministers he received advertisement of the truth of the whole business. After some time was spent in close imprisonment, these lords, by petition, and all other addresses they could make, pressed to be brought to any kind of examination and trial; of which they found no other benefit, than that, upon this importunity, their imprisonment was less close; and, by degrees, under a formal restraint, (which, though more pleasant, was not less costly,) had the liberty of London, and from thence, after four months' restraint, without being formally charged with any crime, or brought to any trial, which they often desired, they escaped, and came to York; whither a messenger from the house of commons followed them, and demanded them as prisoners.

Many were of opinion, that they should have been delivered back; foreseeing that the parliament would press the scandal of sheltering them much to the king's disadvantage; and any imputations, "of countenancing the rebels of Ireland," found more credit, and made deeper impression with the people, than any other discourses of "protecting malignants and delinquents." On the other side, it was thought unreasonable to remit men to an imprisonment, which appeared to have been unjust, by their not being proceeded against in so long time; especially when their coming to the king would be declared such a crime, that it would be now in their enemies' power to cause them to be punished; which before they could not do; at best, it were to deliver them up to the sergeant of the house of commons, from whence no innocence could redeem them, without paying such vast fees,

as would amount to a greater sum than they could probably be supplied with. So that the king, who wished that they had rather gone any whither than where he was, resolved to take no notice of their escape. And so they continued in his quarters, and put themselves into the troops; where they behaved themselves with good courage, and frankly engaged their persons in all dangerous enterprises.

In these jealousies and contests, the king being visibly and confessedly unable to send succours of any kind thither, and the parliament having enough else to do, and, in truth, not taking so much pains to preserve it, as to impute the loss of it to the king, poor Ireland got very small relief. The earl of Leicester, lord lieutenant of that kingdom, had received his despatch from the king, before he went to Shrewsbury. But when the king thought he would have gone directly to Chester, and so to Ireland, his lordship returned to London; which increased the king's jealousy and prejudice to him; which his former carriage, and a letter writ lately by him from Nottingham to the earl of Northumberland, and by order of parliament printed, had begot to a great degree. Shortly after his return to London, the house of commons demanded "to see the instructions he had received from the king;" which, as it was unreasonable in them, so he had received express command from the king, "not to communicate them." However, after he had avoided it as long as he could, and they continued peremptory in the demand, in the end, he produced them to be perused by the committee of both houses. The truth is, the earl's condition was very slippery, and almost impossible to be safely managed by the most dexterous person.

He was designed to that employment by the king, shortly upon the death of the earl of Strafford, (or rather before; not without some advice from that earl,) with as great circumstances of grace and favour, as could be; and as a person, of whom entirely the king assured himself, being then so ungracious to the parliament, that as there were some sharp glances at him in that time, (which are before remembered,) so nothing preserved him from a public exception, but the interest of the earl of Northumberland, whose sister he had married; whom that party was not willing to irreconcile. After the rebellion was broke out in Ireland, and the king had committed the carrying on the war to the houses, he thought it absolutely necessary for his province, to render himself as gracious to that people as was possible; and laboured that with so good effect and industry, that he omitted that care which should have been observed in continuing his interest at court. For the king and queen grew every day less satisfied with him; which sure he did not with wariness enough provide against; though, I believe, he had never unfaithful purposes towards either of them; but did sadly project, by his demeanour and interest in the houses, to provide so well for Ireland, and to go thither in so good a condition, that, being once there, he might be able to serve the king as he should be required.

But one man is rarely able to act both those parts: for his shewing his instructions, he gave a reason, which, if he had been free from all other objections, might appear no ill excuse: "He knew his instructions were such, that, being perused by the committee, could by no misconstruction, or

"possible perversion, be wrested to the king's disadvantage;" as indeed they never were able, nor ever attempted, to fix any reproach from them upon the king. "Whereas, after they were so peremptorily required, if he should have as peremptorily refused to submit, they would have concluded that there had been somewhat unjustifiable in them, and upon that jealousy made no scruple of publishing the worst reproaches upon his majesty." And it may be, he was not without an imagination, that if by this contest he had drawn the displeasure of the two houses upon him, as could not be avoided, his misfortune at court might have suffered that to have depressed him, and revenged itself upon the choler of the other. And when he left the king between Nottingham and Shrewsbury, his condition was so low, that a man might have imagined his interest would be best preserved by being within the verge of the parliament's protection. As his return to London was besides the king's expectation, so his stay there was longer than seemed to be [intended] by his own proposal; for he staid there above two months, till after the battle of Edge-hill, and both parties being fixed in their winter quarters; and then, without waiting again on the king, though Oxford was very few miles out of his way, about the end of November, he went to Chester, with a purpose of transporting himself for Ireland, but without the least appearance of addition of strength, or provisions from the parliament; neither were their ships there ready to transport him.

About the end of November, four officers of the army in Ireland, sir James Montgomery, sir Hardress Waller, colonel Arthur Hill, and colonel Audley Mervin, having been employed from Ireland to solicit the parliament for succours, came from London to Oxford, and delivered a petition to the king; in which they told him, "that they had addressed themselves to the parliament for supplies, whose sense of their miseries, and inclination to redress, appeared very tender to them; but the present distempers of the kingdom of England were grown so great, that all future passages, by which comfort and life should be conveyed to that gasping kingdom, seemed totally to be obstructed; so that, unless his majesty, out of his singular wisdom and fatherly care, applied some speedy cure, his loyal and distressed subjects of that kingdom must inevitably perish. They acknowledged his princely favour and goodness since this rebellion, so abundantly expressed in a deep sense and lively resentment of their bleeding condition; and therefore they besought him, among his other weighty cares, so to reflect upon the bleeding condition of that perishing kingdom, that timely relief might be afforded. Otherwise his loyal subjects there must yield their fortunes, as a prey; their lives, a sacrifice; and their religion, a scorn to the merciless rebels, powerfully assisted from abroad."

And indeed the condition of the protestants, in that kingdom, was very miserable: for, whilst the distractions of England kept them from receiving succours, the rebels had arms, ammunition, money, and commanders, from Rome, Spain, and France; the pope having sent a formal avowed nuncio, to whose jurisdiction the Irish submitted; and the kings of France and Spain having sent great supplies, and their agents, to countenance and foment

the rebellion; who gave notable countenance to the assembly and formed council for the rebels, settled at Kilkenny.

The king, who well knew this petition was sent by the permission of those at Westminster, and that the agents employed were men of notorious disaffection to him, who looked for some such answer as might improve the envy of the people, used the messengers with all possible grace, and returned them as gracious an answer: "That, from the beginning of that monstrous rebellion, he had had no greater sorrow, than for the bleeding condition of that his kingdom. That he had, by all means, laboured, that timely relief might be afforded to it, and consented to all propositions, how disadvantageous soever to himself, that had been offered to him to that purpose; and, not only at first recommended their condition to both his houses of parliament, and immediately, of his own mere motion, sent over several commissions, and caused some proportion of arms and ammunition (which the petitioners well knew to have been a great support to the northern parts of that kingdom) to be conveyed to them out of Scotland, and offered ten thousand volunteers to undertake that war; but had often pressed, by many several messages, that sufficient succours might be hastened thither, and other matters of smaller importance laid by, which did divert it; and offered, and most really intended, in his own royal person, to have undergone the danger of that war, for the defence of his good subjects, and the chastisement of those perfidious and barbarous rebels; and in his several expressions of his desires of treaty and peace, he had declared the miserable present condition and certain future loss of Ireland, to be one of the principal motives most earnestly to desire, that the present distractions of this kingdom might be composed, and that others would concur with him to the same end."

He told them, "he was well pleased, that his offers, concurrence, actions, and expressions, were so rightly understood by the petitioners, and those who had employed them, (notwithstanding the groundless and horrid aspersions which had been cast upon him;) but he wished, that, instead of a mere general complaint, to which his majesty could make no return but of compassion, they could have digested, and offered to him any such desires, by consenting to which, he might convey, at least in some degree, comfort and life to that gasping kingdom; preserve his distressed and loyal subjects of the same from inevitably perishing, and the true protestant religion from being scorned and trampled on by those merciless rebels. And, if the petitioners could yet think of any such, and propose them to his majesty, he assured them, that by his readiness to consent, and his thanks to them for the proposal, he would make it appear to them, that their most pressing personal sufferings could not make them more desirous of relief, than his care of the true religion, and of his faithful subjects, and of his duty, which obliged him, to his power, to protect both, rendered him desirous to afford it to them."

The king being fully informed now, as well by this committee, as from his ministers of state in that kingdom, of the growing power of the rebels

in Ireland, and of the weak resistance his good subjects were like to make, whose only hopes depended upon those succours which they presumed the lord lieutenant would bring over with him, and that he was now going thither without the least addition of strength, or probable assurance that any would be sent after him; his majesty considered likewise, that, besides the damp this naked arrival of the lord lieutenant there must cast upon the minds of all, it would make likewise a great alteration in the conduct of affairs there. For, upon his landing, the commission to the earl of Ormond, of lieutenant general of the army, would be determined; and there had those jealousies and disrespectes passed between the earl of Leicester and him, that the earl of Ormond was resolved, no more to continue that command, but immediately to transport himself out of that kingdom; by which the king should lose the service of a person much the most powerful, most able, and most popular within that province; and who had, with wonderful courage and conduct, and almost miraculous success, hitherto restrained the rage and fury of the rebels, and indeed a man so accomplished, that he had either no enemies, or such who were ashamed to profess they were so.

Upon these considerations, the king thought fit, for some time, till he might farther weigh the whole business, to suspend the earl of Leicester's journey: and therefore sent to him to Chester (where he had lain, in some indisposition of health, above a fortnight; and the ships being not yet come for his transportation) "to attend his majesty at Oxford;" which he did shortly after Christmas, and continued there; the king directing the earl of Ormond (whom about this time he made a marquis) "to carry on the war as he had done; and, during the absence of the lord lieutenant, to dispose of all places and offices in the army which became void;" and likewise making an alteration in the civil power; for whereas sir William Parsons and sir John Burlacy had continued lords justices from and before the death of the earl of Strafford, the king finding that sir William Parsons (who was a man of long experience in that kingdom, and confessed abilities but always of suspected reputation) did him all imaginable disservice, and combined with the parliament in England, about this time removed sir William Parsons from that trust; and, in his room, deputed sir Harry Tichborne, a man of so excellent a fame, that though the parliament was heartily angry at the remove of the other, and knew this would never be brought to serve their turn, they could not fasten any reproach upon the king for this alteration.

Another circumstance must not be forgotten. After the war broke out in England, the parliament had sent over a couple of their members of the commons (Mr. Raynolds and Mr. Goodwyn) as a committee into Ireland, to reside at Dublin, and had given directions to the lords justices, "that they should have leave to be present at all their consultations;" which they had; and were no other than spies upon those, who should presume to deliver any opinions there not agreeable to the sense of the houses. When the king made that alteration in the government, he likewise took notice, that strangers were admitted to be present at their debates, which had never been before practised; and therefore required them, "that it

"might be so no more." Hereupon, the committee, who had carried themselves very insolently and seditiously there, and with notable contempt of the king, and his authority, were, by the lords justices and council, inhibited from being present at the council; and thereupon they quickly left the kingdom, and returned to London; the parliament unreasonably and impudently accusing the king of a new breach of privilege, for this disrespect to their members. This was the state of Ireland, the war being that spring prosperously carried on by the marquis of Ormond, and the earl of Leicester still staying at Oxford with the title of lord lieutenant. And so we will return to Oxford and London.

Many days being past since the return of the committee of lords and commons from Oxford, with the king's answer to their propositions, and no reply being made by the houses, or indeed any solemn debate entered thereupon, (for his majesty had every day information of what passed among them, even in their most secret councils,) and, on the contrary, preparations more vigorously intended for the war, than had been before, in sending out strong parties to infest the king's quarters, (for, besides the incursions and progress of sir William Waller, which are before remembered, Mr. Hambden had made some attempts upon the Brill, a garrison of the king's upon the edge of Buckinghamshire, but without effect, and with some considerable loss,) in levying great numbers of men, for the recruiting the earl of Essex's army; and designing new extraordinary ways for the raising of money, and associating several counties of the kingdom, towards the raising new armies: the king, as well to have the convenience of sending to London, (of which journeys he made good use,) as to quicken and necessitate them to some reply, sent another message to them, putting them in mind of "the proposition he had made for a cessation of arms;" and desired that "if they approved of a cessation, that the day upon which they thought fit it should begin, and such particulars, limits, and conditions of it, as were necessary to be understood, and agreed on, before the cessation itself could actually begin, might be proposed by them." Since, his majesty said, "he supposed, by the present great preparations of several forces to march several ways, that, till all that should be agreed upon, they did not conceive themselves obliged to an actual cessation; so neither, till then, did his majesty conceive himself obliged to it: however, he wished it might be clearly understood between them, that no such imputations, as had been formerly, might be laid upon him, upon occasion of any thing that might intervene."

This message put a necessity upon them, of entering again upon the argument, and gave them, who desired peace and accommodation, an opportunity to press for the debate, which had been craftily laid aside for the despatch of other matters; that party, which was most deeply engaged in the war, and resolved to carry it on, having a notable dexterity in keeping those things from being debated, in which they found their sense would not prevail. And at this time, the number of those in both houses, who really desired the same peace the king did, was (if they had not been overwitted by them) superior to the other. For, besides that many persons, who from the beginning had always

dissented from them, for their ease and convenience had staid among them, very many were convinced in their understandings, that they had been misled; and discerned, in what a bottomless gulph of misery the kingdom would be plunged, if an immediate composure were not made; and some of those who had been as fierce as any, and given as great countenance to the kindling the fire, either out of conscience that they had done amiss, or fear that the king would prevail by power, or anger that they found other men valued above them; in their present distraction, or their natural inconstancy even in ill, were most solicitous for a treaty. So that, within few days after the receipt of this message, both houses agreed, "that there should be a treaty, in which so much of the king's propositions as concerned the magazines, forts, and ships, and the proposition of both houses for the disbanding the armies, should be first treated on, and concluded, before the proceeding to treat upon any of the other propositions; and that the treaty should begin the fourth of March, or sooner if it might be; and that, from the beginning, the time should not exceed twenty days."

The persons they made choice of to treat, were the earl of Northumberland, the lord Say, Mr. Pierrepont, sir William Armyn, sir John Holland, and Mr. Whitlock, for whose safe conduct they despatched a messenger to his majesty; this resolution being taken but the last day of February. As soon as the request was presented, the king returned a safe conduct for the earl of Northumberland and the four commoners; but refused to admit the lord Say to his presence, upon the same exception he had formerly refused sir John Evelyn at Colebrook; his lordship being personally excepted from pardon by a former proclamation; but signified, "that if they would employ any other person not within the same rule, he should as freely come as if he were in the safe conduct."

Whether the lord Say was nominated by those who believed they should be able, upon the refusal of him, (which they could not but foresee,) to break off all overtures of farther treaty; or whether they believed, they had so far prevailed by underhand negotiations at Oxford, that he should be admitted, and that he would have been able to persuade the king to yield to what they proposed, or at least to have engaged the king to those who would have yielded to him, I know not; but as it was not so insisted on at Westminster as to break the treaty, so many were of opinion at Oxford, that the king should have admitted him. They said, "he was a wise man, and could not but know, that it would not be possible for him to make any impression upon his majesty's judgment in the propositions in debate; and therefore, that he would never have suffered himself to be designed to that negotiation, (which, without doubt, by his interest in both houses he might have prevented,) if he did not purpose to do some signal service to his majesty." And indeed many believed, "that if he had come, and found the king's goodness inclined to pardon and trust him, that he would have done the best he could, to redeem his former breaches." Others were of opinion, "that he was so far from being inclined to serve the king, or advance the treaty, that he should have been sent as a spy, lest others should;" and these were the thoughts

both at Oxford and London. But the king, who knew the lord Say as well as any of them, believed, that it was not in his power to do any good, and if it had, that it was not in his will; was resolved not to break his rule, lest such a remission might give advantage against him in the future: and so sent the answer above remembered. Together with this desire of a safe conduct, they sent his majesty word, "that they had likewise consented, that there should be a cessation of arms on either side, under the restrictions and limitations hereafter following.

1. "That all manner of arms, ammunition, victuals, money, bullion, and all other commodities, passing without such a safe conduct as may warrant their passage, may be stayed and seized on, as if no cessation was agreed on.

2. "That all manner of persons, passing without such a safe conduct as is mentioned in the article next going before, shall be apprehended, and detained, as if no such cessation were agreed on at all.

3. "That his majesty's forces in Oxfordshire should advance no nearer to Windsor than Wheatley, and in Buckinghamshire no nearer to Aylesbury than Brill; and that, in Berkshire, the forces respectively shall not advance nearer the one to the other, than now they are: and that the parliament forces in Oxfordshire shall advance no nearer to Oxford than Henley, and those in Buckinghamshire no nearer to Oxford than Aylesbury: and that his majesty's forces shall make no new quarters, above twelve miles from Oxford, any way; and the parliament forces shall take no new quarters, above twelve miles from Windsor, any way.

4. "That no siege shall be begun or continued against Gloucester; and that his majesty's forces, now employed in the siege, shall return to Cirencester and Malmesbury, or to Oxford, as shall be most for their convenience; and the parliament forces, which are in Gloucestershire, shall remain in the cities of Gloucester, Bristol, and the castle and town of Berkley, or retire nearer to Windsor, as they shall see cause: and that those of Wales, which are drawn to Gloucester, shall return to their quarters where they were before they drew down to Gloucestershire.

5. "That, in case it be pretended on either side, that the cessation is violated, no act of hostility is immediately to follow, but first the party complaining is to acquaint the lord general on the other side, and to allow three days, after notice, for satisfaction; and in case satisfaction be not given, or accepted, then five days' notice to be given, before hostility begin, and the like to be observed in the remoter armies, by the commanders in chief.

6. "Lastly, that all other forces, in the kingdom of England, and dominion of Wales, not before mentioned, shall remain in the same quarters, and places, as they are at the time of publishing this cessation, and under the same conditions as are mentioned in the articles before. And that this cessation shall not extend, to restrain the setting forth or employing of any ships, for the defence of his majesty's dominions."

All which they desired "his majesty would be pleased to ratify and confirm; and that this ces-

sation might begin upon the fourth of March next, or sooner if it might be; and continue until the five and twentieth of the same month; and in the mean time to be published on either side; and that the treaty might likewise commence upon the same day; and the continuance thereof not to exceed twenty days."

These propositions were delivered to his majesty on the first of March, which was almost a month after the cessation had been proposed by him, (for his propositions were made on the third of February,) which administered cause of doubt, that the overture was not sincere; since it was hardly possible, that the cessation could begin so soon as the fourth, by which time, though the king should consent to the terms proposed, upon sight, his answer could very hardly be returned to them. But the articles themselves were such as occasioned much debate, and difference of opinion, among those who desired the same thing. The king, after the examination of them with his privy-council, and at a council of war, made a committee out of each, to consider the inconvenience his consent to them might produce to his party, if that cessation and treaty did not produce a peace; and the inequality in them, if the overture passed from an equal enemy according to the rules of war. Some were of opinion, "that the cessation should be consented to by the king, upon the articles proposed, though they should be thought unequal, not only because it would be an act of great grace and compassion to the people, to give them some respite, and taste of peace, and the not consenting to it (the reason not being so easy to be understood) would be as impopular and ungracious; but that, they believed, it would at least cast the people into such a slumber, that much of their fury and madness would be abated; and that they would not be easily induced to part with the ease they felt, and would look upon that party as an enemy, that robbed them of it; that it would give an opportunity of charitable intercourse, and revive that freedom of conversation, which, of itself, upon so great advantage of reason, as they believed the king's cause gave, would rectify the understanding of many who were misled; but especially, that it would not only hinder the recruit of the earl of Essex's army, (for that no man would be so mad to declare themselves against the king, when they saw a cessation, in order to restoring the king to his rights,) but would lessen the forces he had already; in that the army consisted most of men engaged by the pay, not affection to the cause; who, upon such a remission of duty as would necessarily attend a cessation, would abandon a party which they foresaw, upon a peace, must be infamous, though it might be secure: and whereas all overtures of a treaty hitherto had advanced their levies upon pretence of being in a posture not to be contented, they believed, a real cessation would render those levies impossible."

Others thought "any cessation disadvantageous enough to the king; and therefore, that the terms, upon which it was to be made, were to be precisely looked to: that the articles proposed would only produce a suspension of present acts of hostility and blood among the soldiers; but not give the least taste of peace, or admit the least benefit to the people; for that all intercourse and conversation was inhibited, inasmuch

"as no person of the king's party, though no soldier, had liberty to visit his wife, or family, out of the king's quarters, during this cessation; and the hindering recruits could only prejudice the king, not at all the earl of Essex, who had at present a greater army than ever before; and the city of London was such a magazine of men, as could supply him upon very small warning. Besides, though the state of the king's army and quarters about Oxford was such as might receive some advantage by a cessation; yet, in the west, it was hoped his affairs were in the bud; and the earl of Newcastle was so much master in the north, that if a peace ensued not, (which wise men did not believe was seriously intended on the parliament's part, by reason the propositions to be treated on were so unreasonable, and impossible to be consented to,) such a cessation would hinder the motion and progress of the earl's good fortune, and give time to the lord Fairfax, who was at present very low, to put himself into such a posture as might give new trouble." And it is certain the northern forces had then great dread of this cessation.

To these considerations was added another of greater moment, and which could be less answered and poized by any access of benefit or advantage on the king's party. Hitherto the parliament had raised their vast sums of money, for the support of their army, (which could only be supported by constant great pay,) and the discharge of their other immense expenses, incident to such a rebellion, from the city of London, and principally from their friends, not daring so rigidly to execute their ordinances generally; but contented themselves with some severe judgments upon particular men, whom they had branded with some extraordinary mark of malignancy, out of London, save only that they gleaned among their own zealots upon voluntary collections, and plundered by their army, which brought no supply to their common stock: and [of] what they imposed upon cities and towns, in which they had garrisons, (in which they had been likewise very tender,) they had received very little; not venturing yet, by any general tax and imposition upon the people, to inflame them, and inform them how far they meant to invade their liberty and their property, with the jealousy whereof they had blown them up to all those swellings and seditious humours against the king; and apprehending, that if they should attempt that, any encouragement of strength from any of the king's armies would make the whole kingdom rise against them.

But now, after they had agreed to a treaty, and framed even articles for a cessation, they passed an ordinance for a weekly assessment throughout the kingdom, towards the support of the war; by which was imposed upon the city of London the weekly sum of ten thousand pounds, and upon the whole kingdom no less than a weekly payment of thirty-three thousand five hundred and eighteen pounds, amounting in the year to one million seven hundred forty-two thousand nine hundred thirty-six pounds; a prodigious sum for a people to bear, who, before this war, thought the payment of two subsidies in a year, which, in the best times, never amounted to above two hundred thousand pounds, and never in our age to above a hundred and fifty, an insupportable burden upon

the kingdom: and indeed had scarce borne the same, under all the kings that ever reigned.

For the speedy and exact collection whereof, they appointed, by the same ordinance, commissioners in each county, such as were sufficiently inclined to, and engaged in their designs. To this they added other ordinances, for exacting the twentieth part, and other payments, throughout the kingdom; which had been only undergone (and that not generally) in London; and, above all, for the sequestering and seizing of the estates of all who adhered to the king. "Now if a cessation were consented to by the king, on the articles proposed, and thereby the king's forces locked up within the several limits and narrow bounds, in which they were contained, these ordinances might be executed throughout all their quarters; and thereby vast sums be raised. Their great association of Norfolk, Suffolk, Cambridge, Huntingdon, Bedford, and Essex, (in neither of which the king had any visible party, or one fixed quarter,) upon which, the apprehension of the earl of Newcastle's advance upon them, kept them from notable pressures, would by this means yield them a great supply of men and money. In Somersetshire and Devonshire, whilst sir Ralph Hopton might hereby be kept from advancing, they might raise what they would, and might dispose of the stocks and personal estates of those, whom they had, and would declare to be malignant; and so this cessation, besides the damage and prejudice to the loyal party, would probably fill the rebels' coffers, the emptiness whereof was the most, if not only, probable way and means to determine the war."

These considerations made a deep impression upon those, who believed the treaty was not like to produce a peace; the number of which was increased by a new resolution, at this time entered upon, and vigorously prosecuted, "to fortify the city of London, and to draw a line about it;" which was executed with marvellous expedition; which, many believed, would not have been then done, both for the charge and jealousy of it, if it had not been resolved it should not yet return to the king's obedience. And many persons of honour and quality about the king, who had given great life to his affairs, were so startled with the sense of it, that they addressed themselves together to his majesty, and besought him, "that they might not lose that now, by an unequal cessation, which had been preserved for them, during the license of hostility; and that his and their enemies might not be that way enabled to destroy them, which yet they durst not attempt to do." The king hereupon, after solemn debates in council, the chief officers of his army being present, resolved to make such alterations in the articles, as might make the terms a little more equal, at least prevent so intolerable disadvantages.

1. "To the first article as it was proposed by them, his majesty fully and absolutely consented.
2. "To the second likewise fully, as far as it concerned all officers and soldiers of the army; but he proposed, that all other his subjects, of what quality or condition soever, might, during the cessation, pass to and from the cities of Oxford or London, or any other parts of his majesty's dominions, without any search, stay, or imprisonment of their persons, or seizure and

"detention of their goods or estates: and that all manner of trade and commerce might be open and free between all his subjects, except between the officers and soldiers of either army, or for arms, ammunition, money, bullion, or victuals for the use of either army, without a pass, or safe conduct;" which, his majesty told them, would be a good beginning to renew the trade and correspondence of the kingdom, and where by his subjects might be restored to that liberty and freedom they were born to, and had so happily enjoyed till these miserable distractions; and which, even during this war, his majesty had, to his utmost, laboured to preserve, opening the way, by most strict proclamations, to the passage of all commodities, even to the city of London itself."

3, 4, 5, 6. To these the king likewise consented, with two provisions: first, "that such ships, as were necessary to be set forth, should be commanded by such persons as his majesty should approve of. Secondly, that, during the cessation, none of his subjects should be imprisoned otherwise than according to the known laws of the land, and that there should be no plundering, or violence offered to any of his subjects." The first of these was inserted, (without purpose of insisting on it,) lest by the king's consent to the article, in the terms it was proposed, he might be thought to consent in any degree to their usurpation of the naval authority. And the second was, to prevent the execution of the ordinances before mentioned.

And his majesty told them, "he hoped, these small alterations would sufficiently manifest, how solicitous he was for the good of his people, for whose liberties he should insist, when, in matters merely concerning himself, he might descend to easier conditions; and how desirous he was, that, in this unnatural contention, no more blood of his subjects might be spilt, upon which he looked with much grief, compassion, and tenderness of heart, even [on the blood] of those, who had lifted up their hands against him. And therefore he doubted not, but both houses would consent to them. However, if any scruples should be made, he was willing that the commissioners for the treaty might nevertheless immediately come to him, and so all matters concerning the cessation might be there settled between them."

After this answer returned by the king, many days passed without any return to him; and in the mean time another address was made to his majesty, upon which the great managers at London had set their hearts, more than upon the treaty; and for which indeed they deferred their treaty. They had still a great dependence and confidence upon their brethren of Scotland, and yet that people moved very slowly; and, since the earl of Essex had been settled in his winter quarters, there had been high quarrels between the English and Scotch officers, insomuch as, upon some reproachful words which had been cast out, many swords were one day drawn in Westminster-hall, when the houses were sitting, between them; and a little blood drawn, which (though the houses industriously laboured to compose [it] with declarations "of their joint value and respect of that nation with their own, and that their deserts could only distinguish them") gave so great umbrage, that many of the Scots,

some of eminent command, quitted the service; and it was hoped it would have broke any farther national combination in mischief.

But the general inclination to rebellion mastered those particular considerations and disobligations; and, about the end of February, to facilitate the king's consent to the grand proposition for the extirpation of episcopacy, (which the two houses had been, by the arts before mentioned, wrought to make; when, in truth, there were very few of themselves desired it; as, when it passed the house of peers, there were but five lords present,) there arrived at Oxford the earl of Lowden, lord chancellor of Scotland, and Mr. Alexander Henderson, a man of equal fame in the distractions that arose in that kingdom: the former came as a commissioner from the lords of the secret council of that kingdom, or, as they then thought fit to call themselves, "the conservators of the peace between the two kingdoms;" and desired to pass as a mediator in the differences between the king and the two houses, and that the king would give them leave upon the matter to be umpires between them. The other, Mr. Henderson, had a special employment from the assembly of the kirk of Scotland, to present a petition from that body to the king; the which, because it was then thought of a very strange nature and dialect, and because I shall always report the acts of that nation (as far as I am obliged to mention them) in their own words, I think very convenient to insert in this place.

But it will be first necessary, for the better understanding one angry clause in it, to remember, that, when the earl of Newcastle marched into Yorkshire, upon occasion of some aspersions published against him by the lord Fairfax, "that his army consisted only of papists, and that his design was to extirpate the protestant religion," the earl set forth a declaration of the reasons of his marching into that country, which was, "upon the desire of the principal gentlemen, to rescue and protect them from the tyranny of the parliament;" and then, taking notice of "the scandalous imputations upon him in point of religion," after he had vindicated himself from the least suspicion of inclination to popery, he confessed "he had granted commissions to many papists, which, as he knew, was, in this case, agreeable to the laws of the kingdom, so he believed it very agreeable to the present policy; and that the quarrel between the king and the two houses being not grounded upon any matter of religion, the rebels professing themselves to be of the same of which his majesty was clearly known to be, and the papists generally at this time appearing very loyal to him, which too many protestants were not, he thought their assistance might very fitly be made use of, to suppress the rebellion of the other." And from thence these zealous Scots concluded, that he preferred the papists, in point of loyalty, before the protestants; which was a calumny of so public a concernment, that they could not be silent in. Their petition follows in these words:

To the king's most excellent majesty.

*The humble petition of the commissioners of the general assembly of the kirk of Scotland met at Edinburgh, Jan. 4, 1643.*

"Our silence, and ceasing to present before your



"majesty our humble thoughts and desires, at this time of common danger to religion, to your majesty's sacred person, your crown, and posterity, and to all your majesty's dominions, were impiety against God, unthankfulness and disloyalty against your majesty, and indirect approbation and hardening of the adversaries of truth and peace in their wicked ways, and cruelty against our brethren, lying in such depths of affliction and anguish of spirit; any one of which crimes were, in us above all others, unexcusable, and would prove us most unworthy of the trust committed unto us. The flame of this common combustion hath almost devoured Ireland, is now wasting the kingdom of England, and we cannot tell how soon it shall enter upon ourselves, and set this your majesty's most ancient and native kingdom on fire. If in this woful case, and lamentable condition of your majesty's dominions, all others should be silent, it behoveth us to speak: and if our tongues and pens should cease, our consciences within us would cry out, and the stones in the streets would answer us.

"Our great grief, and apprehension of danger, is not a little increased, partly by the insolence and presumption of papists, and others disaffected to the reformation of religion, who, although for their number and power they be not considerable among us, yet, through the success of the popish party in Ireland, and the hopes they conceive of the prevailing power of the popish armies and the prelatical faction in England, they have of late taken spirit, and begun to speak big words against the reformation of religion, and the work of God in this land; and partly, and more principally, that a chief praise of the protestant religion (and thereby our not vain, but just gloriation) is, by the public declaration of the earl of Newcastle, general of your majesty's forces for the northern parts, and nearest unto us, transferred unto papists; who, although they be sworn enemies unto kings, and be as infamous for their treasons and conspiracies against princes and rulers, as for their known idolatry and spiritual tyranny, yet are they openly declared to be not only good subjects, or better subjects, but far better subjects than protestants: which is a new and foul disparagement of the reformed religion, a notable injury to your majesty in your honour, a sensible reflection upon the whole body of this kingdom, which is impatient that any subjects should be more loyal than they; but abhorreth, and extremely disdaineth, that papists, who refuse to take the oath of allegiance, should be compared with them in allegiance and fidelity; and which (being a strange doctrine from the mouth or pen of professed protestants) will suffer a hard construction from all the reformed kirks.

"We therefore, your majesty's most humble and loving subjects, upon these and the like considerations, do humbly entreat, that your majesty may be pleased, in your princely wisdom, first to consider, that the intentions of papists, directed by the principles of their profession, are no other than they have been from the beginning, even to build their Babel, and to set up their execrable idolatry and antichristian tyranny, in all your majesty's dominions; to change the face of your two kingdoms of Scotland and

"England into the similitude of miserable Ireland; which is more bitter to the people of God, your majesty's good subjects, to think upon, than death; and whatsoever their present pretences be, for the defence of your majesty's person and authority, yet, in the end, by their arms and power, with a displayed banner, to bring that to pass against your royal person and posterity, which the fifth of November, never to be forgotten, was not able by their subtle and undermining treason to produce; or, which will be their greatest mercy, to reduce your majesty, and your kingdoms, to the base and unnatural slavery of their monarch, the pope: and next, that your majesty, upon this undeniable evidence, may timely and speedily apply your royal authority, for disbanding their forces, suppressing their power, and disappointing their bloody and merciless projects.

"And for this end, we are, with greater earnestness than before, constrained to fall down again before your majesty, and, in all humility to renew the supplication of the late general assembly, and our own former petition in their name, for unity of religion, and uniformity of church-government in all your majesty's kingdoms, and, to this effect, for a meeting of some divines to be holden in England, unto which, according to the desire of your majesty's parliament, some commissioners may be sent from this kirk; that, in all points to be propounded and debated, there may be the greater consent and harmony. We take the boldness to be the more instant in this our humble desire, because it concerneth the Lord Jesus Christ so much in his glory, your majesty in your honour, the kirk of England (which we ought to tender as our own bowels, and whose reformation is more dear unto us than our lives) in her happiness, and the kirk of Scotland in her purity and peace; former experience and daily sense teaching us, that, without the reformation of the kirk of England, there is no hope or possibility of the continuance of reformation here.

"The Lord of heaven and earth, whose vicerent your majesty is, calleth for this great work of reformation at your hands; and the present commotions and troubles of your majesty's dominions are either a preparation, in the mercy of God, for this blessed reformation and unity of religion, (which is the desire and expectation of all your majesty's good subjects in this kingdom,) or, which they tremble to think upon, and earnestly deprecate, are (in the justice of God, for the abuse of the gospel, the tolerating of idolatry and superstition, against so clear a light, and not acknowledging the day of visitation) the beginning of such a doleful desolation, as no policy or power of man shall be able to prevent, and as shall make your majesty's kingdoms, within a short time, as miserable as they may be happy by a reformation of religion. God forbid that, whilst the houses of parliament do profess their desire of the reformation of religion in a peaceable and parliamentary way, and pass their bills for that end in the particulars; that your majesty, the nurse-father of the kirk of Christ, to whose care the custody and vindication of religion doth principally belong, should, to the provoking of the anger of God, the stopping of the influence of so many blessings from

"Heaven, and the grieving of the hearts of all the  
 "godly, frustrate our expectation, make our hopes  
 "ashamed, and hazard the loss of the hearts of all  
 "your good subjects; which, next unto the truth  
 "and unity of religion, and the safety of your  
 "kingdoms, are willing to hazard their lives, and  
 "spend their blood, for your majesty's honour  
 "and happiness.

"We are not ignorant, that the work is great,  
 "the difficulties and impediments many; and that  
 "there be both mountains and lions in the way;  
 "the strongest let, till it be taken out of the way,  
 "is the mountain of prelacy: and no wonder, if  
 "your majesty consider, how many papists, and  
 "popishly affected, have, for a long time, found  
 "peace and ease under the shadow thereof; how  
 "many of the prelatical faction have thereby their  
 "life and being; how many profane and worldly  
 "men do fear the yoke of Christ, and are unwilling  
 "to submit themselves to the obedience of the  
 "gospel; how many there be, whose eyes are  
 "dazzled with the external glory and pomp of the  
 "kirk; whose minds are miscarried with a conceit  
 "of the governing of the kirk by the rules of  
 "human policy; and whose hearts are affrighted  
 "with the apprehensions of the dangerous con-  
 "sequences, which may ensue upon alterations.  
 "But when your majesty, in your princely and  
 "religious wisdom, shall remember, from the  
 "records of former times, how against the gates of  
 "hell, the force and fraud of wicked and worldly  
 "men, and all panic fears of danger, the Christian  
 "religion was first planted; and the Christian kirk  
 "thereafter reformed: and, from the condition of  
 "the present times, how many, from the expe-  
 "rience of the tyranny of the prelates, are afraid  
 "to discover themselves, lest they be revenged  
 "upon them hereafter, (whereas prelacy being re-  
 "moved, they would openly profess what they  
 "are, and join with others in the way of reforma-  
 "tion,) all obstacles and difficulties shall be  
 "but matter of the manifestation of the power  
 "of God, the principal worker; and means of  
 "the greater glory to your majesty, the prime  
 "instrument.

"The intermixture of the government of pre-  
 "lates with the civil state, mentioned in your  
 "majesty's answer to our former petition, being  
 "taken away, and the right government by assem-  
 "blies, which is to be seen in all the reformed  
 "kirks, and wherein the agreement will be easy,  
 "being settled; the kirk and religion will be more  
 "pure, and free from mixture, and the civil govern-  
 "ment more sound and firm. That government  
 "of the kirk must suit best with the civil state,  
 "and be most useful for kings and kingdoms,  
 "which is best warranted by God, by whom kings  
 "do reign, and kingdoms are established. Nor  
 "can a reformation be expected in the common  
 "and ordinary way, expressed also in your  
 "majesty's answer. The wisest and most religious  
 "princes have found it impossible, and implying a  
 "repugnancy, since the persons to be reformed,  
 "and reformers, must be diverse; and the way of  
 "reformation must be different from the corrupt  
 "way, by which defection of workmen, and corrup-  
 "tion in doctrine, worship, and government,  
 "have entered into the kirk. Suffer us therefore,  
 "dread sovereign, to renew our petitions for this  
 "unity of religion, and uniformity of kirk-govern-  
 "ment, and for a meeting of some divines of both

"kingdoms, who may prepare matters for your  
 "majesty's view, and for the examination and ap-  
 "probation of more full assemblies. The national  
 "assembly of this kirk, from which we have our  
 "commission, did promise, in their thanksgiving  
 "for the many favours expressed in your majesty's  
 "letter, their best endeavour to keep the people  
 "under their charge in unity and peace, and in  
 "loyalty and obedience to your majesty, and your  
 "laws; which, we confess, is a duty well besee-  
 "ing the preachers of the gospel.

"But we cannot conceal how much both pastors  
 "and people are grieved and disquieted with the  
 "late reports of the success, boldness, and strength  
 "of popish forces in Ireland and England; and  
 "how much danger, from the power of so malicious  
 "and bloody enemies, is apprehended to the re-  
 "ligion and peace of this kirk and kingdom, con-  
 "ceived by them to be the spring, whence have  
 "issued all their calamities and miseries. Which  
 "we humbly remonstrate to your majesty as a  
 "necessity requiring a general assembly, and do  
 "earnestly supplicate for the presence and assist-  
 "ance of your majesty's commissioner, and the  
 "day to be appointed; that, by universal consent  
 "of the whole kirk, the best course may be taken  
 "for the preservation of religion, and for the aver-  
 "ting of the great wrath, which they conceive to  
 "be imminent to this kingdom. If it shall please  
 "the Lord, in whose hand is the heart of the  
 "king, as the rivers of waters, to turn it whither-  
 "soever he will, to incline your majesty's heart to  
 "this through reformation; no more to tolerate  
 "the mass, or any part of Romish superstition, or  
 "tyranny; and to command that all good means  
 "be used for the conversion of your princely  
 "consort, the queen's majesty, (which is also  
 "the humble desire of this whole kirk and king-  
 "dom,) your joint comforts shall be multiplied  
 "above the days of your affliction, to your in-  
 "credible joy; your glory shall shine in bright-  
 "ness, above all your royal progenitors, to the  
 "admiration of the world, and the terror of your  
 "enemies: and your kingdoms so far abound in  
 "righteousness, peace, and prosperity, above all  
 "that hath been in former generations, that they  
 "shall say, *It is good for us, that we have been*  
*"afflicted."*

This petition was not stranger in itself, than in  
 the circumstances that attended it; for it was no  
 sooner (if so soon) presented to the king, than it  
 was sent to London, and printed, and communi-  
 cated with extraordinary industry to the people;  
 that they might see how far the Scottish nation  
 would be engaged for the destruction of the  
 church; and the messenger who presented it, Mr.  
 Henderson, confessed to his majesty, that he had  
 three or four letters to the most active and sedi-  
 tious preachers about London, from men of the  
 same spirit in Scotland. Upon this provocation,  
 the king might have very reasonably proceeded  
 against Mr. Henderson, who was neither included  
 in his safe conduct, (as the lord Lowden and the  
 rest of the commissioners were,) nor had any au-  
 thority from the lords of the council of that king-  
 dom, (who were qualified with large powers,) to  
 countenance his employment; being sent only  
 from the commissioners of the general assembly,  
 (who were not authorized by their own constitu-  
 tions, to make any such declaration,) and there  
 being then no assembly sitting; which itself, with

all their new privileges, could not, with any colour of reason, or authority, have transacted such an instrument. However the king, who well knew the interest and influence the clergy had upon the people of that kingdom; and that, whilst they pretended to remove them from all secular employment, they were the principal instruments and engines, by which the whole nation was wrought to sedition; resolved, not only to use the person of Mr. Henderson very graciously, and to protect him from those affronts, which he might naturally expect in a university, (especially, having used some grave and learned doctors with great insolence, who went civilly to him to be informed what arguments had prevailed with him, to be so professed an enemy of the church of England, and to give him some information in the argument; with whom he superciliously refused to hold any discourse,) but to return an answer with all possible candour to the petition itself; and so, before he entered upon the other address, made by the lord Lowden and the rest, he returned (after very solemn debates in council, where the earl of Lanerick the secretary for Scotland, and other lords of Scotland, who were of the privy-council, were present, and fully concurred, with many expressions of their detestation of the manners of their countrymen, yet with assured confidence that they would not be corrupted to any act of hostility) to Mr. Henderson, and, with all expedition, by other hands into Scotland, this answer; which likewise I think fit to insert in the very words, that posterity may know how tender and provident the king always was, to prevent any misunderstanding of him and his actions with that people; and consequently any commotions in that kingdom; which was the only thing, he feared, might contribute to, and continue, the distractions in this.

*His majesty's answer to the late petition presented unto him by the hands of Mr. Alexander Henderson, from the commissioners of the general assembly of the church of Scotland.*

"We received lately a petition from you, by the hands of Mr. Alexander Henderson, to the which we intended to have given an answer, as soon as we had transacted the business with the other commissioners, addressed to us from the conservators of the treaty of that our kingdom. But finding the same to be published in print, and to be dispersed throughout our kingdom, to the great danger of scandalizing of our well affected subjects; who may interpret the bitterness and sharpness of some expressions, not to be so agreeable to that regard and reverence, which is due to our person, and the matter itself to be reproachful to the honour and constitution of this kingdom: we have been compelled, the more strictly to examine, as well the authority of the petitioners, as the matter of the petition itself, and to publish our opinion of both, that our subjects of both kingdoms may see how equally just, and sensible, we are of the laws and honour of both our kingdoms.

"And first, upon perusal of the petition, we required to see the commission, by which the messenger who brought the petition, or the persons who sent him, are qualified to intermeddle in affairs so foreign to their jurisdiction, and of

"so great concernment to this our kingdom of England. Upon examination whereof, and in defence of the laws and government of this our kingdom, which we are trusted and sworn to defend, we must profess that the petitioners, or the general assembly of our church of Scotland, have not the least authority, or power, to intermeddle or interpose in the affairs of this kingdom, or church; which are settled and established by the proper laws of this land, and, till they be altered by the same competent power, cannot be inveighed against without a due sense of us, and this nation; much less can they present any advice or declaration to our houses of parliament against the same; or, to that purpose, send any letters, as they have now done, to any ministers of our church here; who, by the laws of this land, cannot correspond against the same.

"Therefore, we do believe that the petitioners, when they shall consider how unwarranted it is by the laws of that kingdom, and how contrary it is to the laws of this, to the professions they have made to each other, and how unbecoming in itself, for them to require the ancient, happy, and established government of the church of England to be altered, and conformed to the laws and constitutions of another church, will find themselves misled by the information of some factious persons here, who would willingly engage the petitioners to foment a difference and division between the two kingdoms, which we have, with so much care and industry, endeavoured to prevent; not having laboured more to quench the combustion in this kingdom, than we have to hinder the like from either devouring Ireland, or entering into Scotland; which, if all others will equally labour, will undoubtedly be avoided. But we cannot so easily pass over the mention of Ireland, being moved to it by the scandalous aspersions, that have been often cast upon us, upon that subject, and the use that hath been made of the woful distractions of that kingdom, as of a seminary of fears and jealousies, to beget the like distractions in this; and, which lest they may have farther influence, we are the more willing to make our innocence appear in that particular.

"When first that horrid rebellion began, we were in our kingdom of Scotland; and the sense we had then of it, the expressions we made concerning it, the commissions, together with some other assistance, we sent immediately into that kingdom, and the instant recommendation we made of it to both our houses of parliament in England, are known to all persons of quality there and then about us. After our return into England, our ready concurring to all the desires of both houses, that might most speedily repress that rebellion, by passing the bill of pressing, and in it a clause, which quitted a right challenged by all, and enjoyed by many of our predecessors, by parting with our rights in the lands escheated to us by that rebellion, for the encouragement of adventurers; by emptying our magazines of arms and ammunition for that service, (which we have since needed for our necessary defence and preservation,) by consenting to all bills for the raising of money for the same, though containing unusual clauses, which trusted both houses without us with the manner

" of disposing it : our often pressing both houses, " not to neglect that kingdom, by being diverted " by considerations and disputes less concerning " both kingdoms : our offer of raising ten thousand volunteers to be sent thither ; and our " several offers to engage our own royal person, in " the suppression of that horrid rebellion, are no " less known to all this nation, than our perpetual " earnestness, by our foreign ministers, to keep all " manner of supplies from being transported for " the relief of the rebels, is known to several " neighbouring princes ; which if all good subjects " will consider, and withal how many of the men, " and how much of the money raised for that end, " and how much time, care, and industry, have been " diverted from that employment, and employed in " this unnatural war against us, (the true cause of " the present misery, and want, which our British " armies there do now endure,) they will soon free " us from all those imputations, so scandalously " and groundlessly laid upon us ; and impute the " continuance of the combustion of that miserable " kingdom, the danger it may bring upon our " kingdoms of England and Scotland, and the beginning of this doleful desolation, to those who " are truly guilty of it.

" For unity in religion, which is desired, we " cannot but answer, that we much apprehend, " lest the papists may make some advantage of " that expression, by continuing that scandal with " more authority, which they have ever heretofore " used to cast upon the reformation, by interpreting " all the differences in ceremony, government, " or indifferent opinions between several protestant " churches, to be differences in religion ; and " lest our good subjects of England, who have " ever esteemed themselves of the same religion " with you, should suspect themselves to be " esteemed by you to be of a contrary ; and that the " religion which they and their ancestors have " held, ever since the blessed reformation, and in, " and for which, they are resolved to die, is taxed, " and branded of falsehood, or insufficiency, by " such a desire.

" For uniformity in church-government, we " conceived the answer formerly given by us (at " Bridgenorth, 13th October, 1642) to the former " petition in this argument, would have satisfied " the petitioners ; and is so full, that we can add " little to it ; viz. that the government here established by the laws hath so near a relation and " intermixture with the civil state, (which may be " unknown to the petitioners,) that till a composed, digested form be presented to us, upon a " free debate of both houses in a parliamentary " way, whereby the consent and approbation of " this whole kingdom may be had, and we and all " our subjects may discern, what is to be left, or " brought in, as well as what is to be taken away ; " we know not how to consent to any alteration, " otherwise than to such an act for the ease of " tender consciences in the matter of ceremonies, " as we have often offered ; and that this, and any " thing else that may concern the peace of the " church, and the advancement of God's true religion, may be soberly discussed, and happily " effected, we have formerly offered, and are still " willing, that debates of that nature may be " entered into by a synod of godly and learned " divines, to be regularly chosen according to the " laws and customs of this kingdom : to which we

" shall be willing that some learned divines of our " church of Scotland may be likewise sent ; to be " present, and offer, and debate their reasons. " With this answer the petitioners had great reason to acquiesce, without enlarging the matter " of their former petition only with bitter expressions against the established government and " laws of their neighbour nation, (as if it were " contrary to the word of God,) with whom they " have so lately entered into a strict amity and " friendship.

" But we cannot enough wonder, that the petitioners should interpose themselves, not only as " fit directors and judges between us, and our two " houses of parliament, in business so wholly concerning the peace and government of this our " kingdom ; and in a matter so absolutely intrusted to us, as what new laws to consent, or " not to consent to ; but should assume, and publish, that the desire of reformation in this kingdom is in a peaceable and parliamentary way ; " when all the world may know, that the proceedings here have been, and are, not only contrary " to all the rules and precedents of former parliaments, but destructive to the freedom, privilege, " and dignity of parliaments themselves : that we " were first driven by tumults, for the safety of " our life, from our cities of London and Westminster ; and have been since pursued, fought " withal, and are now kept from thence by an " army, raised and paid, as is pretended, by the " two houses, which consist not of the fourth part " of the number they ought to do ; the rest being " either driven from thence by the same violence, " or expelled, or imprisoned, for not consenting to " the treasons and unheard of insolencies practised " against us. And if the petitioners could believe " these proceedings to be in a peaceable and parliamentary way, they were unacquainted with the " order and constitution of this kingdom, and not " so fit instruments to promote the reformation " and peace, they seem to desire.

" We cannot believe the intermixture of the " present ecclesiastical government with the civil " state, to be other than a very good reason ; and " that the government of the church should be by " the rules of human policy, to be other than a " very good rule, unless some other government " were as well proved, as pretended, to be better " warranted by [the word of] God.

" Of any bills offered to us for reformation, we " shall not now speak, they being a part of those " articles upon which we have offered, and expect " to treat : but cannot but wonder, by what authority you prejudice our judgment herein, by denouncing God's anger upon us, and our hazard " of the loss of the hearts of all our good subjects, " if we consent not unto them. The influence of " so many blessings from heaven upon the reigns " of queen Elizabeth and our father of blessed " memory, and the acknowledgment of them by " all protestant churches, to have been careful " nurses of the church of Christ, and to have excellently discharged their duties, in the custody " and vindication of religion ; and the affection of " their subjects to them, do sufficiently assure us, " that we should neither stop the influence of such " blessings, nor grieve the hearts of all the godly, " nor hazard the loss of the hearts of our good " subjects, although we still maintain, in this kingdom, the same established ecclesiastical govern-

"ment which flourished in their times, and under their special protection.

"We doubt not, but our subjects of Scotland will rest abundantly satisfied with such alterations in their own church, as we have assented unto; and not be persuaded by a mere assertion, that there is no hope of continuance of what is there settled by law, unless that be likewise altered which is settled here. And our subjects of England will never depart from their dutiful affection to us, for not consenting to new laws, which, by the law of the land, they know we may as justly reject, if we approve not of them, as either house hath power to prepare for, or both, to propound to us. Nor are you a little mistaken, if either you believe the generality of this nation to desire a change of church-government, or that most of those, who desire it, desire by it to introduce that which you will only esteem a reformation; but are as unwilling to submit to what you call the yoke of Christ, and obedience to the gospel, as those whom you call profane and worldly men; and so equally averse both to episcopacy and presbytery, that, if they should prevail in this particular, the abolition of the one would be no inlet to the other; nor would your hearts be less grieved, your expectations less frustrated, your hopes less ashamed, or your reformation more secured. And the petitioners, upon due consideration, will not find themselves less mistaken in the government of all the reformed churches, which, they say, is by assemblies, than they are in the best way of a reformation; which sure is best to be in a common and ordinary way, where the passion or interest of particular men may not impose upon the public; but alteration be then only made, when, upon calm debates, and evident and clear reason, and convenience, the same shall be generally consented to for the peace and security of the people; and those who are trusted by the law with such debates, are not divested of that trust, upon a general charge of corruptions, pretending to have entered by that way; and of being the persons to be reformed, and so unfit to be reformers. And certainly, the like logic, with the like charges and pretences, might be used to make the parliament itself an incapable judge of any reformation, either in church or state.

"For the general expressions in the petition against papists, in which the petitioners may be understood to charge us with compliance and even favour to their opinions; we have taken all occasions to publish to the world our practice and resolution in the true protestant reformed religion: and we are verily persuaded, there is no one subject in either of our dominions, who at all knows us, and hath observed our life, but is, in his soul, satisfied of our constant zeal and unremovable affection to that religion, and of our true dislike of, and hearty opposition to popery. And as we willingly consented, at our being in Scotland, to all acts proposed to us, for the discountenancing and the reforming the papists in that our kingdom; so, by our proclamations for the putting of all laws severely in execution against recusants; and by not refusing any one bill, presented to us to that purpose, in this kingdom; and by our perpetual and public professions of readiness, with the advice of our

"two houses of parliament, prepared for us in a deliberate and orderly way, to find some expedient to perfect so good a work; we conceived, we had not left it possible for any man to believe us guilty of tolerating any part of the Romish tyranny or superstition; or to suspect, that the conversion of our dearest consort was not so much our desire, that the accession of as many crowns as God hath already bestowed on us, would not be more welcome to us than that day: a blessing, which it is our daily prayer to the Almighty to bestow upon us.

"But we might well have expected from the petitioners, who have, in their solemn national covenant, literally sworn so much care of the safety of our person, and cannot but know in how much danger that hath been, and still is, by the power and threats of rebellious armies, that they would as well have remembered the 23rd of October, as the 5th of November; and as well have taken notice of the army raised, and led against us by the earl of Essex, which hath actually assaulted, and endeavoured to murder us; which we know to abound in Brownists, anabaptists, and other sectaries; and in which we have reason (by prisoners we have taken, and the evidence they have given) to believe there are many more papists (and many of those foreigners) than in all our army; as have advised us, to disband out of the army of the earl of Newcastle, which is raised for our defence, the papists in that army; who are known to be no such number, as to endanger their obtaining any power of building their Babel, and setting up their idolatry; and whose loyalty he hath reason to commend (though he was never suspected for favouring their religion) not before that of our protestants, but of such as rebel under that title; and whose assistance is as due to us, by the law of God and man, to rescue us from domestic rebellion, as to defend us from foreign invasion; which we think no man denies to be lawful for them to do. But we do solemnly declare, and protest, that God shall no sooner free us from the desperate and rebellious arms taken up against us, but we shall endeavour to free ourselves and kingdom from any fear of danger from the other, by disarming them, according to the laws of this land; as we shall not fail to send our commissioner to the assembly, at the time appointed for it by the laws of Scotland.

"To conclude, we desire and require the petitioners (as becomes good and pious preachers of the gospel) to use their utmost endeavours, to compose any distraction in opinions, or misunderstandings, which may, by the faction of some turbulent persons, be raised in the minds of our good subjects of that our kingdom; and to infuse into them a true sense of charity, obedience, and humility, the great principles of the Christian religion; that they may not suffer themselves to be transported with things that they do not understand, or think themselves concerned in the government of another kingdom, because it is not according to the customs of that in which they live; but that they dispose themselves, with modesty and devotion, to the service of Almighty God; with duty and affection, to the obedience of us, and our laws; (remembering the singular grace, favour, and benignity, we have always expressed to that

"our native kingdom;) and with brotherly and Christian charity one towards another: and we doubt not but God, in his mercy to us and them, will make us instruments of his blessings upon each other, and both of us, of a great measure of happiness and prosperity to the whole nation."

The lord Lowden and the other lay-commissioners, who were persons entirely guided by him, and of inferior quality, gave the precedence to this petition, which they called matter of religion; and pressed not their own commission, till the king had declared and published his answer to that: and though they pretended not to have any authority to say any thing in that engagement of the commissioners of the assembly; yet the lord Lowden used all importunity, and arguments, to persuade the king in private, to consent to the alteration of the government of the church; assuring him, "that it would be a means, not only to hinder his subjects of Scotland from adhering to the parliament; but that it would oblige them to assist his majesty to the utmost, in the vindication of all his rights." But he quickly found the king too strongly fixed to be swayed in a case of conscience, by a consideration of convenience; and his lordship undertook to give no other arguments.

He betook himself then with his companions to their own proper and avowed errand; which consisted of two parts: the one, to offer "the mediation of the conservators of the peace of that kingdom, for the composure of the differences between the king and the two houses;" the other, "to desire his majesty, that he would send out his precepts to summon a parliament in Scotland." These desires, and any arguments to enforce them, they always delivered to the king himself in writing; declining any address to his ministers, or any debates with his council, lest it might seem to lessen the grandeur and absoluteness of the kingdom of Scotland. But the king always brought those papers, which he received from them, to his council; and received their advice, what answers to return. For the first, of mediation, they pretended a title and obligation to it, by a clause in the act of pacification made at the beginning of this parliament; which clause was, "That the peace to be then established might be inviolably observed in all time to come, it was agreed, that some should be appointed by his majesty, and the parliaments of both kingdoms, who, in the interim betwixt the sitting of the parliaments, might be careful, that the peace then happily concluded might be continued; and who should endeavour by all means to prevent all troubles and divisions; and if any debate and difference should happen to arise, to the disturbance of the common peace, they should labour to remove or compose them, according to their power; it being supposed, that, for all their proceedings of this kind, they should be answerable to the king's majesty and the parliament: and if any thing should fall out that should be above their power, and could not be remedied by them, they should inform themselves in the particulars, and represent the same to the king's majesty, and the ensuing parliament; that, by their wisdoms and authority, all occasion and causes of troubles might be removed, and the peace of the kingdom might be perpetual to all posterity.

"And it was declared, that the power of the commission should be restrained to the articles of peace in that treaty."

This clause, and the whole statute, being carefully perused, and examined before his majesty in his council, the king returned an answer to them in writing.

"That he could not find any colour, or pretence of authority, to be granted by that act of parliament, by which the commissioners for Scotland could conceive themselves interested in a faculty of mediation; that the clause mentioned by them (besides that there was no such commission granted as was mentioned in that clause, nor any commissioners named for those purposes) related only to the differences that might grow between the two nations; and only upon the articles of that treaty, which, his majesty said, had been, and should be, inviolably observed by him. That the differences between his majesty and his two houses of parliament had not the least relation to the peace between the two kingdoms, but to the unquestionable and long enjoyed rights of his, which his rebellious subjects endeavoured, by force, to wrest from him; and concerned the fundamental laws of this kingdom; which, as they could not be supposed to be known to the conservators of the peace of Scotland, so they could not have any possible cognizance of them. That it might give great umbrage to his subjects of England, if he should consent to what they now proposed; and, instead of confirming and continuing the peace, breed jealousies between the nations; and therefore he could not admit of any such mediation as they proposed; but that he hoped the treaty, which he now expected, would beget so good an understanding between him and his two houses, that a peace might ensue; towards which he would expect nothing from his subjects of Scotland, but their prayers."

This gave them no satisfaction, but they insisted still on their right by that clause; which, without any reason or argument to persuade others to be of their mind, they said, "they conceived, laid that obligation upon them of interposition;" to which the king still gave the same answer.

For their other demand of a parliament in Scotland, the case stood thus: The king, at his last being in Scotland, had, according to the precedent he had made here, granted an act for triennial parliaments in that kingdom; and, at the close of that present parliament, had ratified another act, by which a certain day was appointed, for the commencement of the next; which day was to be on the first Tuesday of June, in the year 1644, except the king should call one sooner; which he had power to do. So that the question was only, whether the calling a parliament sooner in that kingdom was like to advance his service, and to contribute to the peace of this? In the disquisition whereof, there needed no arguments, that such a convention could not then produce benefit to the king; the entire government of that people being in those persons, who had contrived those dismal alterations. On the other hand, all men thought it very happy for the king, that, without his consent, there could be no parliament in Scotland, till June 1644; which was more than fourteen months from this time: till when, how disinclined soever the whole nation should be, there was as much

assurance as could possibly be, from that people, that the parliament would not be able to procure any avowed supply from that kingdom: it being the express words in the late act of pacification, "that the kingdom of England should not denounce or make war against the kingdom of Scotland, without consent of the parliament of England;" as on the other part it was enacted, "that the kingdom of Scotland should not denounce or make war against the kingdom of England, without the consent of the parliament of Scotland. And in case any of the subjects of either of the kingdoms should rise in arms, or make war against the other kingdom, or subjects thereof, without consent of the parliament of that kingdom, whereof they are subjects, or upon which they do depend, that they should be held, reputed, and demanded, as traitors to the estates, whereof they are subjects. And, that both the kingdoms, in that case, should be bound to concur in the repressing of those that should happen to arise in arms, or make war, without consent of their own parliament."

So that whoever believed, that those people could be contained by any obligations, divine or human, thought it impossible, by these clear texts, that any forces could be raised there to invade England, and disturb his majesty, till June 1644; before which time, there was hope the king might so far prevail, that the spirit of the rebellion might be broken, and men return again to their understanding and allegiance. Therefore to that demand the king returned answer, "that against the time by which they could legally demand a parliament," (naming the day,) "he would issue out his writs, and there being no emergent cause to do it sooner, he would forbear to put his subjects there to that trouble, which those meetings, how necessary soever, would naturally carry with them."

When they perceived that they should not receive satisfaction in either of their proposals, and (which it may be troubled them more) that the king was so wary in his answers, and so clearly expressed the reasons and justice of them, that they should have no arguments to apply to the passion or interest of their countrymen; which they expected at least; (for in that, in which he was most steadfastly resolved, the preservation of the government of the church, he expressed no more to them, than, "that being a matter of so great importance, and having so near relation to the civil government and laws of England, they could not be competent considerers of it; but that he would do what should be most safe, and necessary for the peace and welfare of his subjects, who were most concerned in it;") at last rather cursorily, and as matter of ceremony at parting, than of moment, they desired "the king's leave, and pass to go to London," having, as they said, "some business there before their return into their own country."

This was, by many, thought a thing of so small moment, that the king should readily grant it; since it was evident, that it was in their own power to go thither without his leave; for they were necessarily to return through the enemy's quarters; and being once there, they might choose whether they would go directly home, or visit London. And therefore that request was thought but an instance of their modesty, that they might not return without one thing granted to them, at their re-

quest. But the king looked upon it as no indifferent thing; and their asking a business that they needed not ask, was enough to demonstrate, that there was more in it than appeared. And he well knew, there was a great difference between their going to London with his pass and license, and without it, which they might easily do. They had now publicly declared their errand, and claimed a title, and legal capacity to undertake the business of mediation; which would be so far from being rejected there, that they would be thankfully received, and admitted to a power of umpirage. If upon, or after this claim, the king should grant them his pass, it would, by their logic, more reasonably conclude his assent, than many of those inferences which they drew from more distant propositions; and having that ground once, his majesty's not consenting to what those grave mediators would propose, and afterwards, as arbitrators, award, should be quarrel sufficient for the whole nation to engage. And therefore the king expressly denied his pass and safe conduct; and told them plainly the reason why he did so; and required them, "since he had denied to consent to that, which could be the only ground of their going to London, that they should first return to those that sent them, before they attempted that journey: if they did otherwise, they must run the hazard of persons, whom his majesty would not countenance with his protection." And the truth is, though they might very well have gone to London, they could not have returned thence to Scotland, (except they would have submitted to the inconvenience and hazard of a voyage by sea,) without so much danger from the king's quarters in the north, (York and Newcastle being at his devotion,) that they could not reasonably promise themselves to escape.

Whilst this was in agitation, the committee from the parliament for the treaty, to wit, the earl of Northumberland, Mr. Pierrepont, sir W. Armyne, sir John Holland, and Mr. Whitlock, came to Oxford; who shortly took notice of the Scottish commissioners' desires, and also desired on their behalf, "that they might have his majesty's leave to go to London;" but being quickly answered, "that that request would not fall within either of the propositions agreed to be treated of," they modestly gave over the intercession: and in the end, the lord Lowden and his countrymen returned directly to Scotland, staying only so long in the garisons of the enemy, through which they were reasonably to pass, as to receive such animadversions, and to entertain such communication, as they thought most necessary.

As soon as the committee arrived at Oxford, they were very graciously received by the king; his majesty always giving them audience in council, and they withdrawing into a private chamber prepared for them, whilst their proposals, which they still delivered in writing, were considered, and debated before the king. They declared, "that they were first to treat of the cessation, and till that was concluded, that they were not to enter upon any of the other propositions;" with which his majesty was well pleased, presuming that they had brought, or had power to give, consent to the articles proposed by him; which he the rather believed, when they read the preamble to the articles; in which it was declared, "that the lords and commons being still carried on with a vehement de-



"sire of peace, that so the kingdom might be freed from the desolation and destruction, wherewith it was like to be overwhelmed, had considered of the articles of cessation with those alterations, and additions, offered by his majesty; unto which they were ready to agree in such manner as was expressed in the ensuing articles." After which, were inserted the very articles had been first sent to the king, without the least condescension to any one alteration, or addition, made by him; neither had the committee power to recede, or consent to any alteration, but only to publish it, if the king consented in terms, and then, and not till then, to proceed to treat upon the other propositions.

This the king looked upon as an ill omen; other men as a plain contempt, and stratagem, to make the people believe, by their sending their committee, that they did desire a treaty and a cessation, yet, by limiting them so strictly, to frustrate both, and to cast the envy of it upon the king. Hereupon, the next day, the king sent a message to them, which he published, to undeceive the people; farther pressing "the weight and consequence of his former exceptions, and alterations; and the inconvenience that proceeded from not granting their committee power to alter so much as verbal expressions: so that, if the king should consent to the articles as they were proposed, he should not only submit to great disadvantages; but some such, as themselves would not think reasonable to oblige him to. As by that article wherein they reserved a power to send out a fleet, or what ships they thought good, to sea; they were not at all restrained from sending what land forces they pleased, to any part of the kingdom; so that, when the cessation ended, they might have new and greater armies throughout the kingdom, than they had when it begun; which, he presumed, they did not intend; being a thing so unequal, and contrary to the nature of a cessation.

"Then in the articles they last sent, they styled their forces, the army raised by the parliament; the which if his majesty should consent to, he must acknowledge, either that he consented to the raising that army, or that he was no part of the parliament: neither of which, he conceived, they would oblige him to do. And therefore he desired, that their committee might have liberty to treat, debate, and agree upon the articles; upon which they and all the world should find, that he was less solicitous for his own dignity and greatness, than for his subjects' ease and liberty. But if that so reasonable, equal, and just desire of his should not be yielded unto, but the same articles still insisted upon, though his majesty, next to peace, desired a cessation, yet, that the not agreeing upon the one might not destroy the hopes of, nor so much as delay, the other; he was willing to treat, even without a cessation, upon the propositions themselves, in that order that was agreed; and desired their committee might be enabled to that effect. In which treaty he would give," he said, "all his subjects that satisfaction, that if any security to enjoy all the rights, privileges, and liberties, due to them by the law, or that happiness in church and state, which the best times had seen, with such farther acts of grace, as might agree with his honour, justice, and duty to his crown, and which might not render him less able to protect his subjects,

"according to his oath, would satisfy them; his majesty was confident, in the mercy of God, that no more precious blood of this nation would be thus miserably spent."

This message produced liberty to the committee to enter upon the treaty itself, upon the propositions, though the cessation should not be agreed to: and shortly after they sent reasons to the king, why they consented not to the cessation in such manner, and with those limitations, as he had proposed. 1. They alleged, "that, if they should grant such a free trade, as the king desired, to Oxford, and other places, where his forces lay, it would be very difficult, if not impossible, to keep arms, ammunition, money, and bullion, from passing to his army: however, it would be exceeding advantageous to his majesty, in supplying his army with many necessaries, and making their quarters a staple for such commodities, as might be vented in the adjacent counties; and so draw money thither; whereby the inhabitants would be better enabled by loans, and contributions, to support his army. As this advantage to him was very demonstrable, so it was very improbable that it would produce any supply to them; and, in a treaty for a cessation, those demands could not be thought reasonable that were not indifferent, that is, equally advantageous to both parties. 2. That to demand the approving the commanders of the ships, was, to desire [to add] the strength of the one party to the other, before the differences were ended; against all rules of treaty. And to make a cessation at sea, was to leave the kingdom naked to foreign forces, and the ports open for his supplies of arms and ammunition. But for conveying any forces, by those means, from one part to the other, they would observe the articles by which that was restrained. 3. For the expression of the army raised by the parliament, they were contented it should be altered, and the name of the two houses used. 4. For the committing none, but according to the known laws of the land, that is, by the ordinary process of law, it would follow, that no man must be committed by them for supplying the king with arms, money, or ammunition; for, by the law of the land, the subject might carry such goods from London to Oxford: the soldiers must not be committed who do run from their colours, and refuse any duty in the army; no man should be committed, for not submitting to necessary supplies of money: so that if it should be yielded to, in his majesty's sense, they should be disabled to restrain supplies from their enemies, and to govern and maintain their own soldiers; and so, under a disguise of a cessation, should admit that which would necessarily produce the dissolving of their army, and destruction of their cause. And," they said, "it was not probable, that his majesty would suffer the same inconveniences by that clause; for that they believed he would interpret, that what his general did by virtue of his commission, was and would be done according to the known laws of the land; whereas he had denied, that those known laws gave any power to the two houses of parliament to raise armies; and so, consequently, their general could not exercise any martial laws. So that under the specious show of liberty and law, they should be altogether



"disabled to defend their liberties and laws; and "his majesty would enjoy an absolute victory and "submission, under pretence of a cessation and "treaty." They said, "being, by a necessity inevitable, enforced to a defensive war, and therein "warranted both by the laws of God and man, it "must needs follow, that, by the same law, they "were enabled to raise means to support that war; "and therefore they could not relinquish that "power of laying taxes upon those who ought to "join with them in that defence, and the necessary "way of levying those taxes upon them, in case of "refusal; for otherwise their army must needs be "dissolved."

Though these reasons were capable, in a sad and composed debate, of full answers, and many things would naturally have flowed from them, to disprove the practice and assertions of the framers of them; yet it was very evident, that they carried such a kind of reason with them, as would prevail over the understandings of the people; and that the king, by not consenting to the cessation, as it was proposed by them, would be generally thought to have rejected any; which could not but have an ill influence upon his affairs: and therefore his majesty sent them, as soon as he had weighed this late message, which he well discerned was not formed to satisfy him, but to satisfy the people against him, an answer; in which he explained the ill consequence of many of their assumptions, and enforced the importance of his former demands on the behalf of the people: however, he offered "to admit the cessation upon the matter of their "own articles; so that he might not be understood to consent to any of those unjust and "illegal powers, which they exercised upon the "subjects." But from henceforward, the houses declined any farther argument and debate concerning the cessation; and directed their committee, "to expedite the treaty upon the propositions:" the particulars whereof being transacted in the beginning of the year 1643, I shall refer the narrative to the next book; intending in this, only to comprehend the transactions to the end of 1642.

I am persuaded, if the king had, upon the receipt of the articles for the cessation, when they were first sent to him, frankly consented to it, it would have proved very much to his advantage; and that his army would very much have increased by it, and the other been impaired; and that it would have been very difficult for the parliament to have dissolved it, if once begun, or to have determined the treaty. But besides the reasons before mentioned, the consideration of the northern forces, and the restraining them within their old quarters, who seemed to be in a condition of marching even to London itself, prevailed very far with the king; or rather (which indeed was the grand reason, and rendered every other suggestion of weight) the jealousy that they did not intend to consent to or admit any peace, but such a one as his majesty might not admit, made all the preliminary debates the more insisted on.

Before I conclude this book, I cannot but insert one particular, which by some men may hereafter be thought of some signification. It was now the time of the year, when, by the custom of the kingdom, the king's judges itinerant used to go their circuits throughout England and Wales, to administer justice to the people; and to inquire

into all treasons, felonies, breaches of the peace, and other misdemeanours, which were any where committed contrary to the known laws; and who were sworn to judge according to those known laws, the study and knowledge whereof was their profession.

The lords and commons now sent to the king a special message, "to advise, and desire him, that, in "regard of the present distractions, which might "hinder both the judges and the people from resorting to those places where such meetings "might be appointed, the assizes and gaol-delivery "might not be holden; but that it might be "deferred, until it should please God to restore "peace unto his people."

The king returned them answer; "that the "present bloody distractions of the kingdom, "which he had used all possible means to prevent, and would still to remove, did afflict his "majesty under no consideration more, than of "the great interruption and stop it made in the "course and proceedings of justice, and the execution of the laws; whereby his good subjects "were robbed of the peace and security they were "born to. And therefore, as much as in him lay, "he would advance that only means of their happiness; at least, they should see that their sufferings that way proceeded not from his majesty; "and since they might now expect, by the laws, "statutes, and customs of the kingdom, the assizes and general gaol-delivery in every county, "his majesty thought not fit to command the contrary; but would take severe and precise order, "that none of his subjects should receive the "least prejudice, as they repaired thither, by any "of his forces, which rule he should be glad to see observed by others. And then he hoped, "by the execution of the laws, even those public "calamities might have some abatement, and the "kingdom recover its former peace and prosperity."

But this answer was not more satisfactory than [others] they had usually received from him; and therefore they betook themselves to their old tried weapon, and made an ordinance, "that all judges, "and justices of assize and nisi prius, and justices "of oyer and terminer, and gaol-delivery, should "forbear to execute any of their said commissions, "or to hold or keep any assizes, or gaol-delivery, "at any time during that Lent vacation; as they "would answer the contempt and neglect thereof "before the lords and commons in parliament." And this was the first avowed interruption and suspension of the public justice, that happened, or that was known ever before in that kind; and gave the people occasion to believe, that what the parliament did (what pretence soever there was of fundamental laws) was not so warrantable by that rule, since they laboured so much to suppress that inquisition. It was not in the king's power to help this; for besides that the example of judge Mallet, who, the circuit before, had been forcibly taken from the bench by a troop of horse, as is before remembered, terrified all the judges, (and there were very few counties in England, in which they could have been secure from the like violence,) the records, upon which the legal proceedings were to be, were at London; and so the exercise of the law ceased throughout the kingdom, save only in some few counties, whither the king sent some judges of assize, and into others,





Engraved by J. Johnson

JAMES STUART, DUKE OF RICHMOND.

OB. 1656

FROM THE ORIGINAL OF VAN DYCK, IN THE COLLECTION OF

SIR JOHN SHEPPEY SIDNEY BAR.



his commissions of oyer and terminer; by virtue whereof, the earl of Essex, and many others, were as legally attainted of high treason, as the wisdom of our ancestors could direct.

We shall in this place, and before we mention the treaty which shortly ensued, for in the time between the return of the commissioners to London, and the beginning of the treaty, this person [Mr. Hyde] (whom we shall hereafter mention under the style of chancellor of the exchequer) was preferred to that office, and because it was about the end of the year [1642-3], it being in February when he was sworn a privy-counsellor, we shall set down the state of the court and the state of the kingdom at this time, the names of those privy-counsellors who attended the king, or were in his service, and the names of those who were likewise of the council, but stayed and acted with the parliament against the king; and likewise the temper of the kingdom at that season, as it was possessed and made useful to either party; and then it will easily appear how little motive any man could have from interest or ambition, who was not carried by the impulsion of conscience and consideration of duty, to engage himself in the quarrel on the king's side.

The lord Littleton was keeper of the great seal of England, of whom so much hath been said before, that there is no need of enlargement upon him in this place. His parts, which in the profession of the law were very great, were not very applicable to the business now in hand; and though, from the time of the king's coming to Oxford, the king had confidence enough in him, to leave the seal in his custody, and he would have been glad to have done any service; his very ill fortune had drawn so great a disesteem upon him from most men, that he gave little reputation to the council, and had little authority in it. He was exceedingly glad that his friend the chancellor of the exchequer was become a member of it.

The duke of Richmond, as he was of the noblest extraction, being nearest allied to the king's person of any man who was not descended from king James; so he was very worthy of all the grace and favour the king had shewed him; who had taken great care of his education, and sent him into France, Italy, and Spain, where he was created a grandee of that kingdom; and as soon as he returned, though he was scarce one and twenty years of age, made him a privy-counsellor; and shortly after, out of his abundant kindness to both families, married him to the sole daughter of his dead favourite, the duke of Buckingham; with whom he received twenty thousand pounds in portion; and his majesty's bounty was likewise very great to him; so that, as he was very eminent in his title, so he was at great ease in his fortune. He was a man of very good parts, and an excellent understanding; yet, which is no common infirmity, so diffident of himself, that he was sometimes led by men who judged much worse. He was of a great and haughty spirit, and so punctual in point of honour, that he never swerved a tittle. He had so entire a resignation of himself to the king, that he abhorred all artifices to shelter himself from the prejudice of those, who, how powerful soever, failed in their duty to his majesty; and therefore he was pursued with all imaginable malice by them, as one that would have no quarter, upon so infamous terms, as but looking on whilst

his master was ill used. As he had received great bounties from the king, so he sacrificed all he had to his service, as soon as his occasions stood in need of it; and lent his majesty, at one time, twenty thousand pounds together; and, as soon as the war begun, engaged his three brothers, all gallant gentlemen, in the service; in which they all lost their lives. Himself lived, with unspotted fidelity, some years after the murder of his master, and was suffered to put him into his grave; and died, without the comfort of seeing the resurrection of the crown.

The marquiss of Hertford was a man of great honour and fortune, and interest in the affection of the people; and had always undergone hard measure from the court, where he received no countenance, and had no design of making advantage from it. For, though he was a man of very good parts, and conversant in books, both in the Latin and Greek languages, and of a clear courage, of which he had given frequent evidence; yet he was so wholly given up to a country life, where he lived in splendour, that he had an aversion, and even an unaptness, for business: besides his particular friendship with the earl of Essex, whose sister he had married, his greatest acquaintance and conversation had been with those who had the reputation of being best affected to the liberty of the kingdom, and least in love with the humour of the court; many of whom were the chief of those who engaged themselves most factiously and furiously against the king. But as soon as he discerned their violent purposes against the government established, before he suspected their blacker designs, he severed himself from them; and, from the beginning of the parliament, never concurred with them in any one vote dishonourable to the king, or in the prosecution of the earl of Strafford. He did accept the government of the prince of Wales, as is mentioned before, purely out of obedience to the king; and, no doubt, it was a great service; though for the performance of the office of a governor, he never thought himself fit, nor meddled with it. He left York, as is remembered, to form an army for the king in the west, where his interest was; but he found those parts so corrupted, and an army from the parliament was poured down so soon upon him, that there was nothing for the present to be done worthy of his presence; so that he sent the small party, that was with him, farther west to Cornwall; where, by degrees, they grew able to raise an army, with which they joined with him afterwards again; and himself returned to the king at Oxford, about the time when the treaty began.

The earl of Southampton was indeed a great man in all respects, and brought very much reputation to the king's cause. He was of a nature much inclined to melancholy, and being born a younger brother, and his father and his elder brother dying upon the point together, whilst he was but a boy, he was much troubled to be called *my lord*, and with the noise of attendance; so much he then delighted to be alone. Yet he had a great spirit, and exacted the respect that was due to his quality; he had never had any conversation in the court, nor obligation to it. On the contrary, he had undergone some hardship from it; which made it believed, that he would have been ready to have taken all occasions to have been severe towards it. And therefore, in the beginning of the parliament,

no man was more courted by the managers of those designs. He had great dislike of the high courses, which had been taken in the government, and a particular prejudice to the earl of Strafford, for some exorbitant proceedings. But, as soon as he saw the ways of reverence and duty towards the king declined, and the prosecution of the earl of Strafford to exceed the limits of justice, he opposed them vigorously in all their proceedings. He was a man of a great sharpness of judgment, a very quick apprehension, and that readiness of expression upon any sudden debate, that no man delivered himself more advantageously and weightily, and more efficaciously with the hearers; so that no man gave them more trouble in his opposition, or drew so many to a concurrence with him in opinion. He had no relation to, or dependence upon, the court, or purpose to have any; but wholly pursued the public interest. It was long before he could be prevailed with to be a counsellor, and longer before he would be admitted to be of the bedchamber; and received both honours the rather, because, after he had refused to take a protestation, which both houses had ordered to be taken by all their members, they had likewise voted, "that no man should be capable of any preferment in church or state, who refused to take the same;" and he would shew how much he contemned those votes. He went with the king to York; was most solicitous, as hath been said, for the offer of peace at Nottingham; and was then with him at Edge-hill; and came and stayed with him at Oxford to the end of the war, taking all opportunities to advance all motions towards peace; and, as no man was more punctual in performing his own duty, so no man had more melancholy apprehensions of the issue of the war; which is all shall be said of him in this place, there being frequent occasions to mention him, in the continuance of this discourse, there being always a fast friendship between him and the chancellor of the exchequer, which lasted to his death.

The earl of Leicester was a man of great parts, very conversant in books, and much addicted to the mathematics; and though he had been a soldier, and commanded a regiment, in the service of the States of the United Provinces, and was afterwards employed in several embassies, as in Denmark and in France, was in truth rather a speculative, than a practical man; and expected a greater certitude in the consultation of business, than the business of this world is capable of: which temper proved very inconvenient to him through the course of his life. He was, after the death of the earl of Strafford, by the concurrent kindness and esteem both of king and queen, called from his embassy in France, to be lieutenant of the kingdom of Ireland; and, in a very short time after, unhappily lost that kindness and esteem: and being, about the time of the king's coming to Oxford, ready to embark at Chester, for the execution of his charge, he was required to attend his majesty, for farther instructions, at Oxford; where he remained; and though he was of the council, and sometimes present, he desired not to have any part in the business; and lay under many reproaches and jealousies, which he deserved not: for he was a man of honour, and fidelity to the king, and his greatest misfortunes proceeded from the staggering and irresolution in his nature.

The earl of Bristol was a man of a grave aspect,

of a presence that drew respect, and of long experience in affairs of great importance. He had been, by the extraordinary favour of king James to his person (for he was a very handsome man) and his parts, which were naturally great, and had been improved by a good education at home and abroad, sent ambassador into Spain, before he was thirty years of age; and afterwards in several other embassies; and at last, again into Spain; where he treated and concluded the marriage between the prince of Wales and that infanta; which was afterwards dissolved. He was by king James made of the privy-council, vice-chamberlain of the household, an earl, and a gentleman of the bed-chamber to the prince, and was then crushed by the power of the duke of Buckingham, and the prejudice the prince himself had contracted against him, during his highness's being in Spain; upon which he was imprisoned upon his return; and after the duke's death, the king retained so strict a memory of all his friendships and displeasures, that the earl of Bristol could never recover any admission to the court; but lived in the country, in ease, and plenty in his fortune, and in great reputation with all who had not an implicit reverence for the court; and before, and in the beginning of the parliament, appeared in the head of all the discontented party; but quickly left them, when they entered upon their unwarrantable violences, and grew so much into their disfavour, that after the king was gone to York, upon some expressions he used in the house of peers in debate, they committed him to the Tower; from whence being released, in two or three days, he made haste to York to the king; who had before restored him to his place in the council and the bed-chamber. He was with him at Edge-hill, and came with him from thence to Oxford; and, at the end of the war, went into France; where he died; that party having so great an animosity against him, that they would not suffer him to live in England, nor to compound for his estate, as they suffered others to do, who had done them more hurt. Though he was a man of great parts, and a wise man, yet he had been for the most part single, and by himself, in business; which he managed with good sufficiency; and had lived little in consort, so that in council he was passionate, and supercilious, and did not bear contradiction without much passion, and was too voluminous in discourse; so that he was not considered there with much respect; to the lessening whereof no man contributed more than his son, the lord Digby; who shortly after came to sit there as secretary of state, and had not that reverence for his father's wisdom, which his great experience deserved, though he failed not in his piety towards him.

The earl of Newcastle was a person well bred, and of a full and plentiful fortune; and had been chosen by the king to be governor to the prince of Wales, and made of the council, and resigned that office of governor to the marquis of Hertford, for the reasons which have been mentioned. He was not at Oxford, but remained at Newcastle, with the king's commission to be general of those parts; being a man of great courage, and signal fidelity to the crown, of whom there will be more occasion hereafter to enlarge.

The earl of Berkshire was of the council, but not yet at Oxford; having been, about or before









Engraved by H. Robinson.

**THOMAS WRIOTHESLEY, EARL OF SOUTHAMPTON.**

**OB. 1667.**

FROM THE ORIGINAL OF SIR PETER LELY IN THE COLLECTION OF

**HIS GRACE THE DUKE OF BEDFORD**



the setting up of the standard, taken prisoner in Oxfordshire, and committed to the Tower, upon an imagination that he had some purpose to have executed the commission of array in that county; but they afterwards set him at liberty, as a man that could do them no harm anywhere; and then he came to Oxford, with the title and pretences of a man, who had been imprisoned for the king, and thereby merited more than his majesty had to give. His affection for the crown was good; his interest and reputation less than any thing but his understanding.

The lord Dunsmore had been made a privy-counsellor, after so many, who had deserved worse, had been called thither, to make an atonement; which failing, he could not be refused, who was ready to do whatever he was directed: he was a man of a rough and tempestuous nature, violent in pursuing what he wished, without judgment, or temper to know the way of bringing it to pass; however, he had some kind of power with froward and discontented men; at least he had credit to make them more indisposed. But his greatest reputation was, that the earl of Southampton married his daughter, who was a beautiful and a worthy lady.

The lord Seymour, being brother to the marquis of Hertford, was a man of interest and reputation; he had been always very popular in the country; where he had always lived out of the grace of the court; and his parts and judgment were best in those things which concerned the good husbandry, and the common administration of justice to the people. In the beginning of the parliament, he served as knight of the shire for Wiltshire, where he lived; and behaving himself with less violence in the house of commons, than many of his old friends did, and having a great friendship for the earl of Strafford, he was, by his interposition, called to the house of peers; where he carried himself very well in all things relating to the crown; and when the king went to York, he left the parliament, and followed his majesty, and remained firm in his fidelity.

The lord Savile was likewise of the council, being first controller, and then treasurer of the household, in recompense of his discovery of all the treasons and conspiracies, after they had taken effect, and could not be punished. He was a man of an ambitious and restless nature; of parts and wit enough; but, in his disposition, and inclination, so false, that he could never be believed, or depended upon. His particular malice to the earl of Strafford, which he had sucked in with his milk, (there having always been an immortal feud between the families; and the earl had shrewdly overborne his father,) had engaged him with all persons who were willing, and like to be able, to do him mischief. And so, having opportunity, when the king was at the Berke, and made the first unhappy pacification, to enter into conversation, and acquaintance, with those who were then employed as commissioners from the Scots, there was a secret intelligence entered into between them from that time; and he was a principal instrument to engage that nation to march into England with an army, which they did the next year after. To which purpose, he sent them a letter, signed with the names of several of the English nobility, inviting them to enter the kingdom, and making great promises of assistance; which

names were forged by himself, without the privacy of those who were named. And when all this mischief was brought to pass, and he found his credit in the parliament not so great as other men's, he insinuated himself into credit with somebody, who brought him to the king or queen, to whom he confessed all he had done to bring in the Scots, and who had conspired with him, and all the secrets he knew, with a thousand protestations "to repair all by future loyalty and service;" for which he was promised a white staff, which the king had then resolved to take from sir Henry Vane, who held it with the secretary's office; which he had accordingly; though all his discovery was of no other use, than that the king knew many had been false, whom he could not punish; and some, whom he could not suspect. When the king came to York, where this lord's fortune and interest lay, his reputation was so low, that the gentlemen of interest, who wished well to the king's service, would not communicate with him; and, after the king's remove from thence, the earl of Newcastle found cause to have such a jealousy of him, that he thought it necessary to imprison him; and afterwards sent him to Oxford; where he so well purged himself, that he was again restored to his office. But in the end he behaved himself so ill, that the king put him again out of his place, and committed him to prison, and never after admitted him to his presence; nor would any man of quality ever after keep any correspondence with him.

Of the lord Falkland, and sir John Colepepper, there hath been so much said before, that there is no occasion to add to it in this place. There will be reason too soon to lament the unhappy death of the former; and the latter, who never failed in his fidelity, will be very often mentioned throughout the ensuing discourse.

Secretary Nicholas was a very honest and industrious man, and always versed in business; which few of the others were, or had been. After some time spent in the university of Oxford, and then in the Middle Temple, he lived some years in France; and was afterwards secretary to the lord Zouch, who was a privy-counsellor, and warden of the cinque ports; and thereby he understood all that jurisdiction, which is very great, and exclusive to the admiral. And when that lord, many years after, surrendered that office to the king, to the end that it might be conferred upon the duke of Buckingham, his secretary was likewise preferred with the office; and so, in a short time, became secretary of the admiralty, as well as of the cinque ports; and was entirely trusted, and esteemed by that great favourite. After his death, he continued in the same place, whilst the office was in commission, and was then made clerk of the council, from whence the king called him to be secretary of state, after secretary Windebank fled the kingdom; upon his majesty's own observation of his virtue and fidelity, and without any other recommendation: and he was in truth, throughout his whole life, a person of very good reputation, and of singular integrity.

There remain only two of the council then at Oxford, who are not yet named, sir John Banks, who had been attorney general, and was then chief justice of the common pleas, a grave and a learned man in the profession of the law; and sir Peter Wych, who had been ambassador at Constanti-

noble ; from whence he returned very little before the troubles, and gratified sir Thomas Jermyn very liberally for his white staff, when the court was very low, and so was made a privy-counsellor, and controller of the household. He was a very honest, plain man ; and died very shortly after the treaty, and was succeeded by sir Christopher Hatton, a person of great reputation at that time, which in few years he found a way utterly to lose.

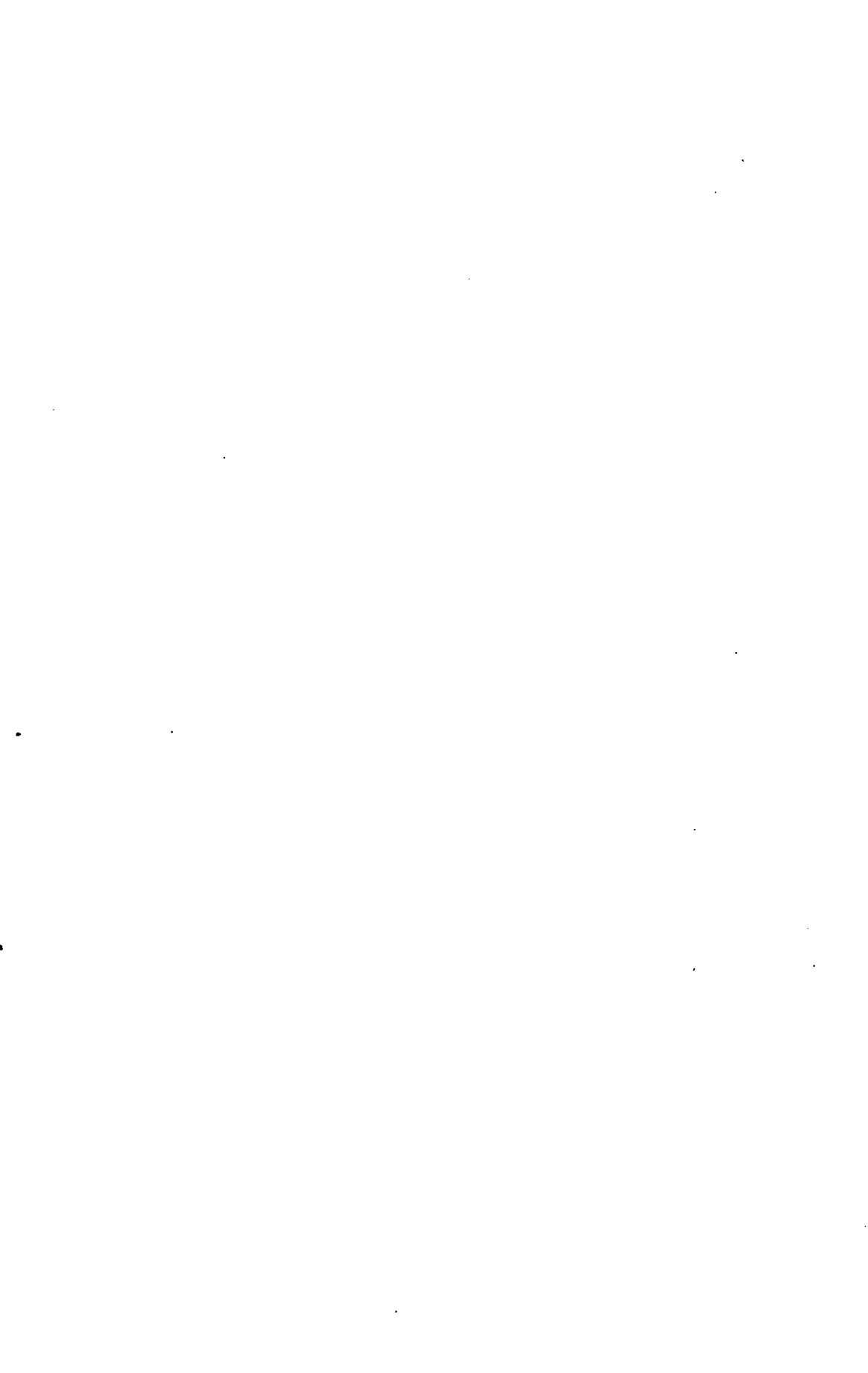
This was the state of the king's council at Oxford when Mr. Hyde was made chancellor of the exchequer ; and amongst them there were not many who had been acquainted with the transaction of business, at least with business of that kind which they were then to be incumbent to ; and from the first entrance into the war, the soldiers did all they could to lessen the reverence that was due to them, thinking themselves the best judges of all counsels and designs, because they were for the most part to execute them : but they neither designed well nor executed, and it may be executed the worse, because they had too great a power in the designing ; the king himself too much inclining to them, out of too little esteem of many of his counsellors. At that time the king's quarters were only between Oxford and Reading, and some miles on the other side to Banbury, and the town of Newcastle in the north, and Pendennis in the west of Cornwall ; but in some months after, they were extended as far as Chester upon the Severn ; and the earl of Newcastle reduced all to York, and drove all who professed for the parliament into Hull ; and sir Ralph Hopton, with the assistance of sir Nicholas Slanning, Arundel, and Trevanion, made themselves masters of Cornwall, and afterwards advanced farther towards a conjunction with the king.

And here it will not be amiss to look back, and take a view of those persons who were of the king's council, and had deserted his service, and stayed in the parliament to support the rebellion ; and of the parliament's strength and power at that time in and over the kingdom. The earl of Northumberland may well be reckoned the chief of them, in respect of the antiquity and splendour of his family, his great fortune and estate, and the general reputation he had among the greatest men, and his great interest, by being high admiral of England. Though he was of a family, that had lain under frequent blemishes of want of fidelity to the crown, and his father had been long a prisoner in the Tower, under no less a suspicion than of having some knowledge of the gunpowder treason ; and after he was set at liberty, by the mediation and credit of the earl of Carlisle, who had, without and against his consent, married his daughter, he continued, to his death, under such a restraint, that he had not liberty to live and reside upon his northern estate : yet his father was no sooner dead, than the king poured out his favours upon him in a wonderful measure : he began with conferring the order of the garter upon him, and shortly after made him of his privy-council ; when a great fleet of ships was prepared, by which the king meant that his neighbour princes should discern, that he meant to maintain and preserve his sovereignty at sea, he sent the earl of Northumberland admiral of that fleet, a much greater than the crown had put to sea since the death of queen Elizabeth, that he might breed him for that service, before he gave him a more absolute command. And after he had,

in that capacity, exercised himself a year or two, he made him lord high admiral of England ; which was such a quick succession of bounties and favours, as had rarely befallen any man, who had not been attended with the envy of a favourite. He was, in all his deportment, a very great man, and that which looked like formality, was a punctuality in preserving his dignity from the invasion and intrusion of bold men, which no man of that age so well preserved himself from. Though his notions were not large or deep, yet his temper, and reservedness in discourse, and his unrashness in speaking, got him the reputation of an able and a wise man ; which he made evident in the excellent government of his family, where no man was more absolutely obeyed ; and no man had ever fewer idle words to answer for ; and in debates of importance, he always expressed himself very pertinently. If he had thought the king as much above him, as he thought himself above other considerable men, he would have been a good subject ; but the extreme undervaluing those, and not enough valuing the king, made him liable to the impressions, which they who approached him by those addresses of reverence and esteem, which usually insinuate themselves into such natures, made in him. And so after he was first prevailed upon, not to do that which in honour and gratitude he was obliged to, (which is a very pestilent corruption,) he was, with the more facility, led to concur in what, in duty and fidelity, he ought not to have done, and which at first he never intended to have done. And so he concurred in all the counsels which produced the rebellion, and stayed with them to support it ; which is as much as is necessary to say of him in this place, since there will be often occasion hereafter to mention him, with some enlargement.

The earl of Pembroke hath been enough mentioned in a better conjuncture of time, when his virtues were thought greater than they were, and his vices very little discerned. Yet, by what was then said, his nature and his parts might be well enough understood ; and as neither the one nor the other were improvable, so they were liable to be corrupted by any assaults ; his understanding being easy to be imposed upon, and his nature being made up of very strong passions. Whilst there was tranquillity in the kingdom, he enjoyed his full share in pomp and greatness ; the largeness and plentifulness of his fortune being attended with reverence and dependence from the people where his estate and interest lay, and where indeed he was a great man ; getting an affection and esteem from persons who had no dependence upon him, by his magnificent living, and discoursing highly of justice, and of the protestant religion ; inveighing bitterly against popery, and telling what he used to say to the king ; and speaking frankly of the oversights of the court, that he might not be thought a slave to it. He had been bred from his cradle in the court ; and had that perfection of a courtier, that as he was not wary enough in offending men, so he was forward in acknowledging it, even to his inferiors, and to impute it to his passion, and ask pardon for it ; which made him be thought a well-natured man. Besides, he had a choleric office, which entitled him to the exercise of some rudenesses, and the good order of the court had some dependence upon his incivilities.

There were very few great persons in authority,





Engraved by J. Cochran

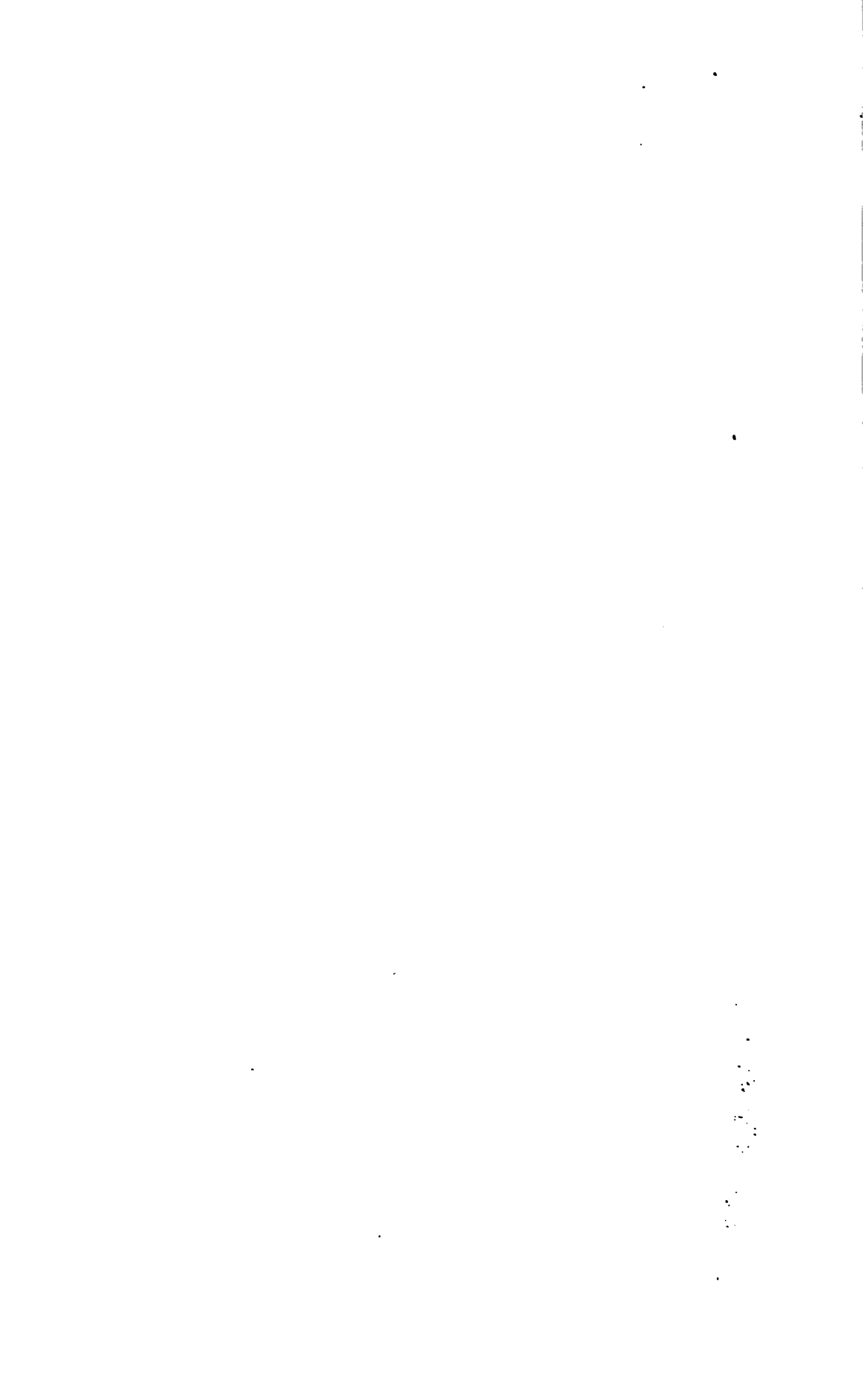
ALGERNON PERCY, EARL OF NORTHUMBERLAND.

OB. 1668.

FROM THE ORIGINAL OF VANOSTEE, IN THE COLLECTION OF

THE R<sup>T</sup> HON<sup>BLE</sup> THE EARL OF ESSEX.





who were not frequently offended by him, by sharp and scandalous discourses, and invectives against them, behind their backs; for which they found it best to receive satisfaction by submissions, and professions, and protestations, which was a coin he was plentifully supplied with for the payment of all those debts; and his infirmities were so generally known, that men did not think they could suffer in their reputations by any thing he said; whilst the king retained only some kindness for him, without any value and esteem of him. But, from the beginning of the parliament, when he saw and heard a people stout enough to inveigh against the king's authority, and, to fall upon those persons whom he had always more feared than loved; and found that there were two armies in the kingdom, and that the king had not the entire command of either of them; when the decrees of the star-chamber, and the orders and acts of the council, in all which he had concurred, (as his concurrence was all that he had contributed towards any counsel,) were called in question, and like to be made penal to those who would not redeem their past errors by future service; his fear, which was the passion always predominant in him above all his choler and rage, prevailed so far over him, that he gave himself up into the hands of the lord Say, to dispose of him as he thought fit, till the king took the white staff from him, and gave it to the earl of Essex, as hath been related at large before.

From this time, he took himself to be absolved from all obligations and dependence upon the court, which he had lived too long in to be willing to quit; and therefore the more closely adhered to them, by whose power he thought he might get thither again; and, for some time, entertained the hope of obtaining the other superior white staff; which remained then in the king's hand by the departure of the earl of Arundel into the parts beyond the seas. But when he saw that staff given to the duke of Richmond, who was then made [lord] steward of the household, he gave over those weak imaginations, and concurred roundly in all the lord Say proposed: and was so weak still, as to believe they never meant to rebel against the king; or that the king could long subsist, without putting himself into their hands. When they had any thing to do in the west, as the exercise of the militia, or executing any other ordinance, they sent him into the country, and shewed him to the people, under the conduct of two or three members of the house, in whom they could confide; and he talked "of the king's evil counsellors, who carried him from his parliament; and of the malignants; and against scandalous ministers;" whilst none of his old friends came near him. And when they were resolved no longer to trust the Isle of Wight in the hands of the earl of Portland, who had been long the king's governor there, and had an absolute power over the affections of that people, they preferred the poor earl of Pembroke to it, by an ordinance of parliament; who kindly accepted it, as a testimony of their favour; and so got into actual rebellion, which he never intended to do. It is pity to say more of him, and less could not be said to make him known, if any thing were necessary; and it cannot be avoided to mention him again hereafter, there being particular passages between him and the chancellor of the exchequer, who had great kindness for him, whilst he had any hope of reclaiming him, and even when that was

desperate, was never without a desire to serve him, having been formerly beholden to him for many civilities, when there was so great a distance between their conditions.

The earl of Essex hath been enough mentioned before; his nature and his understanding have been described; his former disobligations from the court, and then his introduction into it, and afterwards his being displaced from the office he held in it, have been set forth; and there will be occasion, hereafter, to renew the discourse of him; and therefore it shall suffice, in this place, to say, that a weak judgment, and a little vanity, and as much of pride, will hurry a man into as unwarrantable and as violent attempts, as the greatest, and most unlimited, and insatiable ambition will do. He had no ambition of title, or office, or preferment, but only to be kindly looked upon, and kindly spoken to, and quietly to enjoy his own fortune: and, without doubt, no man in his nature more abhorred rebellion than he did, nor could he have been led into it by any open or transparent temptation, but by a thousand disguises and cozenages. His pride supplied his want of ambition, and he was angry to see any other man more respected than himself, because he thought he deserved it more, and did better requite it. For he was, in his friendships, just and constant; and would not have practised foully against those he took to be enemies. No man had credit enough with him to corrupt him in point of loyalty to the king, whilst he thought himself wise enough to know what treason was. But the new doctrine, and distinction of allegiance, and of the king's power in and out of parliament, and the new notions of ordinances, were too hard for him, and did really intoxicate his understanding, and made him quit his own, to follow theirs, who, he thought, wished as well, and judged better than himself. His vanity disposed him to be his excellency; and his weakness, to believe that he should be the general in the houses, as well as in the field; and be able to govern their counsels, and restrain their passions, as well as to fight their battles; and that, by this means, he should become the preserver, and not the destroyer, of the king and kingdom. And with this ill-grounded confidence, he launched out into that sea, where he met with nothing but rocks and shelves, and from whence he could never discover any safe port to harbour in.

The earl of Salisbury had been born and bred in court, and had the advantage of a descent from a father, and a grandfather, who had been very wise men, and great ministers of state in the eyes of Christendom; whose wisdom and virtues died with them, and their children only inherited their titles. He had been admitted of the council to king James; from which time he continued so obsequious to the court, that he never failed in overacting all that he was required to do. No act of power was ever proposed, which he did not advance, and execute his part with the utmost rigour. No man so great a tyrant in his country, or was less swayed by any motives of justice or honour. He was a man of no words, except in hunting and hawking, in which he only knew how to behave himself. In matters of state and council, he always concurred in what was proposed for the king, and cancelled and repaired all those transgressions, by concurring in all that was proposed against him, as soon as

any such propositions were made. Yet when the king went to York, he likewise attended upon his majesty; and, at that distance, seemed to have recovered some courage, and concurred in all counsels which were taken to undeceive the people, and to make the proceedings of the parliament odious to all the world. But, on a sudden, he caused his horses to attend him out of the town, and having placed fresh ones at a distance, he fled back to London, with the expedition such men use, when they are most afraid; and never after denied to do any thing that was required of him; and when the war was ended, and Cromwell had put down the house of peers, he got himself to be chosen a member of the house of commons; and sat with them, as of their own body; and was esteemed accordingly. In a word, he became so despicable to all men, that he will hardly ever enjoy the ease which Seneca bequeathed him; *Hic egregius majoribus ortus est, qualiscunque est, sub umbra suorum lateat; ut loca sordida repercussa sole illustrantur, ita inertes majorum suorum luce resplendent.*

The earl of Warwick was of the king's council too, but was not wondered at for leaving the king, whom he had never served; nor did he look upon himself as obliged by that honour, which, he knew, was conferred upon him in the crowd of those whom his majesty had no esteem of, or ever purposed to trust; so his business was to join with those to whom he owed his promotion. He was a man of a pleasant and companionable wit and conversation; of an universal jollity; and such a license in his words, and in his actions, that a man of less virtue could not be found out: so that a man might reasonably have believed, that a man so qualified would not have been able to have contributed much to the overthrow of a nation and kingdom. But, with all these faults, he had great authority and credit with that people, who, in the beginning of the troubles, did all the mischief; and by opening his doors, and making his house the rendezvous of all the silenced ministers, in the time when there was authority to silence them, and spending a good part of his estate, of which he was very prodigal, upon them, and by being present with them at their devotions, and making himself merry with them, and at them, which they dispensed with, he became the head of that party; and got the style of a godly man. When the king revoked the earl of Northumberland's commission of admiral, he presently accepted the office from the parliament; and never quitted their service; and when Cromwell disbanded that parliament, he betook himself to the protection of the protector; married his heir to his daughter; and lived in so entire a confidence and friendship with him, that, when he died, he had the honour to be exceedingly lamented by him; and left his estate, which before was subject to a vast debt, more improved and repaired, than any man who trafficked in that desperate commodity of rebellion.

The earl of Holland had grown up under the shadow of the court, and had been too long a counsellor before, and contributed too much to the counsels which had most prejudiced the crown, to have declined waiting upon it, when it needed attendance. But he chose to stay with the parliament; and there hath been enough said of him before, and more must be said hereafter. And therefore it shall suffice now, to say, that there

was a very froward fate attended all, or most of the posterity of that bed, from whence he and his brother of Warwick had their original; though he, and some others among them, had many very good parts and excellent endowments.

The earl of Manchester, of the whole cabal, was, in a thousand respects, most unfit for the company he kept. He was of a gentle and a generous nature; civilly bred; had reverence and affection for the person of the king, upon whom he had attended in Spain; loved his country with too unskilful a tenderness; and was of so excellent a temper and disposition, that the barbarous times, and the rough parts he was forced to act in them, did not wipe out, or much deface, those marks: inasmuch as he was never guilty of any rudeness towards those he was obliged to oppress, but performed always as good offices towards his old friends, and all other persons, as the iniquity of the time, and the nature of the employment he was in, would permit him to do; which kind of humanity could be imputed to very few.

And he was at last dismissed, and removed from any trust, for no other reason, but because he was not wicked enough. He married first into the family of the duke of Buckingham, and, by his favour and interest, was called to the house of peers in the life of his father; and made baron of Kimbolton, though he was commonly treated and known by the name of the lord Mandevile; and was as much addicted to the service of the court as he ought to be. But the death of his lady, and the murder of that great favourite, his second marriage with the daughter of the earl of Warwick, and the very narrow and restrained maintenance, which he received from his father, and which would in no degree defray the expenses of the court, forced him too soon to retire to a country life, and totally to abandon both the court and London; whither he came very seldom in many years. And in this retirement, the discountenance which his father underwent at court, the conversation of that family into which he was married, the bewitching popularity, which flowed upon him with a wonderful torrent, with the want of those guards which a good education should have supplied him with, by the clear notion of the foundation of the ecclesiastical, as well as the civil government, made a great impression upon his understanding, (for his nature was never corrupted, but remained still in its integrity,) and made him believe that the court was inclined to hurt, and even to destroy the country; and from particular instances to make general and dangerous conclusions. They who had been always enemies to the church prevailed with him to lessen his reverence for it, and having not been well instructed to defend it, he yielded too easily to those who confidently assaulted it; and thought it had great errors, which were necessary to be reformed; and that all means are lawful to compass that which is necessary. Whereas the true logic is, that the thing desired is not necessary, if the ways are unlawful, which are proposed to bring it to pass. No man was courted with more application, by persons of all conditions and qualities; and his person was not less acceptable to those of steady and uncorrupted principles, than to those of depraved inclinations. And in the end, even his piety administered some excuse to him; for his father's infirmities and transgressions had so far exposed him to the inquisition of justice, that he found it



1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

Engraved by H. T. Hoell

**ROBERT DEVEREUX, EARL OF ESSEX.**

**OB. 1646**

**FROM THE ORIGINAL OF WALKER IN THE COLLECTION OF  
THE MOST NOBLE THE MARQUIS OF STAFFORD**



necessary to procure the assistance and protection of those who were strong enough to violate justice itself; and so he adhered to those who were best able to defend his father's honour, and thereby to secure his own fortune; and concurred with them in their most violent designs, and gave reputation to them. And the court as unskilfully took an occasion too soon to make him desperate, by accusing him of high treason, when (though he might be guilty enough) he was, without doubt, in his intentions, at least, as innocent as any of the leading men.

And it is some evidence, that God Almighty saw his heart was not so malicious as the rest, that he preserved him to the end of the confusion; when he appeared as glad of the king's restoration, and had heartily wished it long before, and very few, who had a hand in the contrivance of the rebellion, gave so manifest tokens of repentance as he did; and having, for many years, undergone the jealousy and hatred of Cromwell, as one who abominated the murder of the king, and all the barbarous proceedings against the lives of men in cold blood; the king upon his return received him into grace and favour, which he never forfeited by any undutiful behaviour.

The last of those counsellors which were made after the faction prevailed in parliament, who were all made to advance an accommodation, and who adhered to the parliament, was the lord Say; a man, who had the deepest hand in the original contrivance of all the calamities which befell this unhappy kingdom, though he had not the least thought of dissolving the monarchy, and less of levelling the ranks and distinctions of men. For no man valued himself more upon his title, or had more ambition to make it greater, and to raise his fortune, which was but moderate for his title. He was of a proud, morose, and sullen nature; conversed much with books, having been bred a scholar, and (though nobly born) a fellow of New College in Oxford; to which he claimed a right, by the alliance he pretended to have from William of Wickham, the founder; which he made good by such an unreasonable pedigree, through so many hundred years, half the time whereof extinguishes all relation of kindred. However upon that pretence, that college hath been seldom without one of that lord's family. His parts were not quick, but so much above those of his own rank, that he had always great credit and authority in parliament; and the more, for taking all opportunities to oppose the court; and he had, with his milk, sucked in an implacable malice against the government of the church. When the duke of Buckingham proposed to himself, after his return with the prince from Spain, to make himself popular, by breaking that match, and to be gracious with the parliament, as for a short time he was, he resolved to embrace the friendship of the lord Say; who was as solicitous to climb by that ladder. But the duke quickly found him of too imperious and pedantical a spirit, and to affect too dangerous mutations; and so cast him off; and from that time he gave over any pursuit in court, and lived narrowly and sordidly in the country; having conversation with very few, but such who had great malignity against the church and state, and fomented their inclinations, and gave them instructions how to behave themselves with caution, and

to do their business with most security; and was in truth the pilot, that steered all those vessels which were freighted with sedition to destroy the government.

He found always some way to make professions of duty to the king, and made several undertakings to do great services, which he could not, or would not, make good; and made haste to possess himself of any preferment he could compass, whilst his friends were content to attend a more proper conjuncture. So he got the mastership of the wards shortly after the beginning of the parliament, and was as solicitous to be treasurer after the death of the earl of Bedford; and, if he could have satisfied his rancour in any degree against the church, he would have been ready to have carried the prerogative as high as ever it was. When he thought there was mischief enough done, he would have stopped the current, and have diverted farther fury; but he then found he had only authority and credit to do hurt; none to heal the wounds he had given; and fell into as much contempt with those whom he had led, as he was with those whom he had undone.

The last of the counsellors who stayed with the parliament was sir Henry Vane; who had so much excuse for it, that, being thrown out of the court, he had no whither else to go; and promised himself to be much made of by them, for whose sakes only he had brought that infamy upon himself. He was of very ordinary parts by nature, and had not cultivated them at all by art; for he was illiterate. But being of a stirring and boisterous disposition, very industrious, and very bold, he still wrought himself into some employment. He had been acquainted with the vicissitudes of court, and had undergone some severe mortification, by the disfavour of the duke of Buckingham, in the beginning of the king's reign. But the duke was no sooner dead, (which made it believed that he had made his peace in his lifetime, for the king was not, in a long time after, reconciled to any man who was eminently in the duke's disfavour,) but he was again brought into the court, and made a counsellor, and controller of the household; which place he became well, and was fit for; and if he had never taken other preferment, he might probably have continued a good subject. For he had no inclination to change, and in the judgment he had, liked the government both of church and state; and only desired to raise his fortune, which was not great, and which he found many ways to improve. And he was wont to say, "that he never had desired other preferment; and believed, "that marquis Hamilton," (with whom he had never kept fair quarter,) "when he first proposed "to him to be secretary of state, did it to affront "him; well knowing his want of ability for the "discharge of that office." But, without doubt, as the fatal preferring him to that place was of unspeakable prejudice to the king, so his receiving it was to his own destruction. His malice to the earl of Strafford (who had unwisely provoked him, wantonly, and out of contempt) transported him to all imaginable thoughts of revenge; which is a guest, that naturally disquiets and tortures those who entertain it, with all the perplexities they contrive for others; and that disposed him to sacrifice his honour and faith, and his master's interest, that he might ruin the earl, and was buried himself



in the same ruin ; for which being justly chastised by the king, and turned out of his service, he was left to his own despair ; and, though he concurred in all the malicious designs against the king, and against the church, he grew into the hatred and contempt of those who had made most use of him ;

and died in universal reproach, and not contemned more by any of his enemies, than by his own son ; who had been his principal conductor to destruction.

We now pass to the transactions in the treaty itself, which was in the beginning of the year 1643.

END OF THE SIXTH BOOK.

## THE HISTORY OF THE REBELLION, &c.

### BOOK VII.

WHEN the treaty was first consented to by the two houses, they ordered that it should be upon the first proposition made by his majesty, and the first proposition made by themselves, and that those should be first concluded on, before they proceeded to treat upon any of the other propositions. So that the committee, in the first place, applied themselves to his majesty, upon his own first proposition, which was, "That his own revenue, magazines, towns, forts, and ships, which had been taken, or kept from him by force, should be forthwith restored to him." To which the committee answered, "That the two houses had made use of his majesty's own revenue, but in a very small proportion, which in a good part had been employed in the maintenance of his children, according to the allowance established by himself. And the houses would satisfy what should remain due to his majesty of those sums, which they had received ; and would leave the same to him for the time to come. And they desired likewise, that his majesty would restore what had been taken for his use, upon any of the bills, assigned to other purposes by several acts of parliament, or out of the provision made for the war of Ireland : that all the arms and ammunition taken out of his magazines should be delivered into his stores, and whatsoever should be wanting, they would supply in kind, according to the proportions they had received : but they proposed, the persons, to whose charge those public magazines should be committed, being nominated by his majesty, might be such, as the two houses of parliament might confide in, and that his majesty would restore all such arms and ammunition, as had been taken for his use, from the several counties, cities, and towns.

"That the two houses would remove the garrisons out of all towns and forts in their hands,

"wherein there were no garrisons before these troubles, and slight all fortifications made since that time, and those towns and forts to continue in the same condition they were in before ; and that those garrisons should not be renewed, or the fortifications repaired, without consent of his majesty, and both houses of parliament. That the towns and forts, which were within the jurisdiction of the cinque ports, should be delivered into the hands of such a noble person, as the king should appoint to be warden of the cinque ports, being such a one as they should confide in. That Portsmouth should be reduced to the number of the garrison, as was at that time when the lords and commons undertook the custody of it ; and that all other forts, castles, and towns, in which garrisons had been kept, and had been since the beginning of these troubles taken into their care and custody, should be reduced to the same establishment they had in the year 1636, and should be so continued ; and that all those towns, forts, and castles, should be delivered up into the hands of such persons of quality and trust, to be likewise nominated by his majesty, as the two houses should confide in. That the warden of the cinque ports, and all governors and commanders of towns, castles, and forts, should keep the same towns, castles, and forts, respectively, for the service of his majesty, and the safety of the kingdom ; and that they should not admit into them any foreign forces, or any other forces raised without his majesty's authority, and consent of the two houses of parliament ; and they should use their utmost endeavours to suppress all forces whatever raised without such authority and consent ; and they should seize all arms and ammunition provided for any such forces.

"They likewise proposed to the king, that he would remove the garrison out of Newcastle,



1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people. The author points out that the history of the United States is a complex and multifaceted one, and that it is important to study it from a variety of perspectives. The author also points out that the study of the history of the United States is important for the development of a sense of national identity and pride.

2. The second part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people. The author points out that the history of the United States is a complex and multifaceted one, and that it is important to study it from a variety of perspectives. The author also points out that the study of the history of the United States is important for the development of a sense of national identity and pride.

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5. The fifth part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people. The author points out that the history of the United States is a complex and multifaceted one, and that it is important to study it from a variety of perspectives. The author also points out that the study of the history of the United States is important for the development of a sense of national identity and pride.

Engraved by W. Hall

EDWARD MONTAGU, EARL OF MANCHESTER.

OB. 1671

FROM THE ORIGINAL OF 1631 IN THE COLLECTION OF

HIS GRACE THE DUKE OF BEDFORD



"and all other towns, castles, and forts, where  
 "any garrisons had been placed by him since  
 "these troubles; and that the fortifications might  
 "be likewise slighted, and the towns and forts  
 "left in such state as they were in the year 1636;  
 "and that all other towns and castles in his hands,  
 "wherein there had been formerly garrisons, might  
 "be committed to such persons nominated by him,  
 "as the houses should confide in, and under such  
 "instructions as were formerly mentioned; and  
 "that the new garrisons should not be renewed,  
 "or the fortifications repaired, without the consent  
 "of the king and both houses of parliament.  
 "That the ships should be delivered into the  
 "charge of such a noble person, as the king  
 "should nominate to be lord high admiral of  
 "England, and the two houses confide in; who  
 "should receive that office by letters patents, *quam*  
 "*diu se bene gesserit*, and should have power to  
 "nominate and appoint all subordinate commanders  
 "and officers, and have all other powers apper-  
 "taining to the office of high admiral; which  
 "ships he should employ for the defence of the  
 "kingdom, against all foreign forces whatsoever,  
 "and for the safeguard of merchants, securing of  
 "trade, and the guarding of Ireland, and the  
 "intercepting of all supplies to be carried to  
 "the rebels; and should use his utmost en-  
 "deavours to suppress all forces, which should  
 "be raised by any person without his majesty's  
 "authority, and consent of the lords and com-  
 "mons in parliament, and should seize all arms  
 "and ammunition provided for supply of any  
 "such forces."

To this answer, by which they required at least  
 to go whole sharers with him in his sovereignty,  
 the king replied, "That he knew not what propor-  
 tion of his revenue had been made use of by his  
 "two houses, but he had reason to believe, if  
 "much of it had not been used, very much re-  
 "mained still in their hands; his whole revenue  
 "being so stopped, and seized on, by the orders  
 "of one or both houses, even to the taking of his  
 "money out of his exchequer and mint, and bonds  
 "(forced from his cofferer's clerk) for the provi-  
 "sions of his household; that very little had come  
 "to his use for his own support; but he would be  
 "well contented to allow whatsoever had been  
 "employed in the maintenance of his children,  
 "and to receive the arrears due to himself, and to  
 "be sure of his own for the future. He was like-  
 "wise willing to restore all monies taken for his  
 "use, by any authority for him, upon any bills  
 "assigned to other purposes, being assured he  
 "had received very little or nothing that way:  
 "and he expected likewise, that satisfaction should  
 "be made by them for all those several vast sums,  
 "received, and diverted to other purposes, [by  
 "orders of one or both houses,] which ought to  
 "have been paid by the act of pacification to his  
 "subjects of Scotland, or employed for the dis-  
 "charge of the debts of the kingdom; or, by  
 "other acts of parliament, for the relief of his  
 "poor protestant subjects in Ireland. For what  
 "concerned his magazines, he was content that  
 "all the arms and ammunition, taken out of his  
 "magazines, which did remain in the hands of  
 "both houses, or of persons employed by them,  
 "should be, as soon as the treaty was concluded,  
 "delivered into the Tower of London; and that  
 "whatsoever should be wanting of the proportions

"taken by them, should be supplied by them, with  
 "all convenient speed, in kind; which, he said,  
 "should be committed to, and continued in, the  
 "custody of the sworn officers, to whose places  
 "the same belonged: and if any of those officers  
 "had already forfeited, or hereafter should forfeit,  
 "that trust, by any misdemeanours, his majesty  
 "would by no means defend them from the justice  
 "of the law. That he always intended to restore  
 "such arms and ammunition, which he had been  
 "compelled to take from any persons and places,  
 "when his own had been taken from him; and  
 "would make them recompense as soon as his own  
 "stores were restored to him.

"To whatsoever they proposed for the slighting  
 "all fortifications, and reducing all garrisons, which  
 "had been made since the beginning of the trou-  
 "bles, and leaving them in the state they were  
 "before, the king fully and absolutely consented;  
 "and that the old castles and garrisons should be  
 "reduced to their ancient proportion and estab-  
 "lishment: but for the governors and command-  
 "ers of them, he said, that the cinque ports were  
 "already in the custody of a noble person, against  
 "whom he knew no just exception, and who had  
 "such a legal interest therein, that he could not,  
 "with justice, remove him from it, until some suf-  
 "ficient cause were made appear to him: but he  
 "was very willing, if he should at any time be  
 "found guilty of any thing that might make him  
 "unworthy of that trust, that he might be pro-  
 "ceeded against according to the rules of justice.  
 "That the government of the town of Portsmouth,  
 "and all other forts, castles, and towns, as were  
 "formerly kept by garrisons, should be put into  
 "the hands of such persons, against whom no just  
 "exceptions could be made; all of them being,  
 "before these troubles, by letters patents granted  
 "to several persons, against any of whom he knew  
 "not any exceptions who should be removed, if  
 "just cause should be given for the same. The  
 "warden of the cinque ports, and all other gover-  
 "nors and commanders of the towns and castles,  
 "should keep their charges, as by the law they  
 "ought to do, and for the king's service, and  
 "safety of the kingdom; and they should not  
 "admit into any of them foreign forces, or other  
 "forces raised, and brought into them contrary  
 "to the law; but should use their utmost en-  
 "deavours to suppress such forces, and should  
 "seize all arms and ammunition, which, by the  
 "laws and statutes of the kingdom, they ought to  
 "seize."

To that part which concerned the ships, the king  
 told them, "That he expected his own ships should  
 "be delivered to him, as by the law they ought to  
 "be; and that when he should think fit to nomi-  
 "nate a lord high admiral of England, it should  
 "be such a person against whom no just exception  
 "could be made; and if any should be, he would  
 "always leave him to his due trial and examina-  
 "tion; and he would grant his office to him by  
 "such letters patents as had been used. In the  
 "mean time he would govern the admiralty by  
 "commission, as had been in all times accustomed;  
 "and whatsoever ships should be set out by him,  
 "or his authority, should be employed for the de-  
 "fence of the kingdom against all foreign forces  
 "whatsoever, for the safeguard of merchants,  
 "securing of trade, guarding of Ireland, and the  
 "intercepting of all supplies to be carried to the

"rebels; and they should use their utmost endeavours to suppress all forces which should be raised, by any person whatsoever, against the laws and statutes of the kingdom, and to seize all arms and ammunition provided for the supply of any such forces."

It is evident to all men where the difference now lay between them, being whether the king would reserve the disposal of those offices and places of trust to himself, which all kings had enjoyed, and was indeed a part of his regality, or whether he would be content with such a nomination, as, being to pass, and depend upon their approbation, no man should ever be admitted to them, who was nominated by him. The committee, upon his answer, desired to know, "if he did intend, that both houses should express their confidence of the persons, to whose trust those places were to be committed; for that they were directed by their instructions, that, if his majesty was pleased to assent thereunto, and to nominate persons of quality to receive the charge of them, that they should certify it to both houses of parliament, that thereupon they might express their confidence in those persons, or humbly desire his majesty to name others, none of which persons to be removed during three years next ensuing, without just cause to be approved by both houses; and if any should be so removed, or die within that space, the persons, to be put in their places, to be such as the two houses should confide in." The king answered, "That he did not intend, that the houses should express their confidence of the persons, to whose trusts those places should be committed, but only that they should have liberty, upon any just exception, to proceed against any such persons according to law; his majesty being resolved not to protect them against the public justice. When any of the places should be void, he well knew the nomination, and free election, of those who should succeed, to be a right belonging to and inherent in his majesty; and having been enjoyed by all his royal progenitors, he could not believe his well affected subjects desired to limit him in that right; and desired they would be satisfied with this answer, or give him any reasons to alter his resolution, and he would comply with them."

They told him, "there could be no good and firm peace hoped for, if there were not a cure found out for the fears and jealousies; and they knew none sure, but this which they had proposed." The king replied, "That he rather expected reasons grounded upon law, to have shewed him, that by the law he had not that right he pretended, or that they had a right superior to his, in what was now in question; or that they would have shewed him some legal reason, why the persons trusted by him were incapable of such a trust; than that they would only have insisted upon fears and jealousies, of which as he knew no ground, so he must be ignorant of the cure. That the argument they used might extend to the depriving him of, or at least sharing with him in, all his just regal power; since power, as well as forces, might be the object of fears and jealousies, and there would be always a power left to hurt, whilst there was any left to protect and defend." He told them, "If he had as much inclination, as he had more right, to fears and

jealousies, he might with more reason have insisted upon an addition of power, as a security to enable him to keep his forts, when he had them, since it appeared it was not so great, but that they had been able to take them from him, than they to make any difficulty to restore them to him in the same case they were before. But, he said, as he was himself content with, so he took God to witness, his greatest desire was, to observe always and maintain the law of the land; and expected the same from his subjects; and believed the mutual observance of that rule, and neither of them to fear what the law feared not, to be, on both parts, a better cure for that dangerous disease of fears and jealousies, and a better means to establish a happy and perpetual peace, than for him to divest himself of those trusts, which the law of the land had settled in the crown alone, to preserve the power and dignity of the prince, for the better protection of the subject, and of the law, and to avoid those dangerous distractions, which the interest of any sharers with him would have infallibly produced."

The committee neither offered to answer his majesty's reasons, nor to oppose other reasons to weigh against them; but only said, "That they were commanded by their instructions, to insist upon the desires of both houses formerly expressed." To which the king made no other answer, "than that he conceived it all the justice in the world for him to insist, that what was by law his own, and had been contrary to law taken from him, should be fully restored to him, without conditioning to impose any new limitations upon him, or his ministers, which were not formerly required from them by the law; and he thought it most unreasonable, to be pressed to diminish his own just rights himself, because others had violated and usurped them." This was the sum of what passed in the treaty upon that proposition.

To the first proposition of the two houses, "That his majesty would be pleased to disband his armies, as they likewise would be ready to disband all their forces, which they had raised, and that he would be pleased to return to his parliament;" the king answered, "That he was as ready and willing that all armies should be disbanded, as any person whatsoever; and conceived the best way to it, would be a happy and speedy conclusion of the present treaty; which, if both houses would contribute as much as he would do to it, would be suddenly effected. And as he desired nothing more than to be with his two houses, so he would repair thither as soon as he could possibly do it with his honour and safety."

The committee asked him, "if by a happy and speedy conclusion of the present treaty, he intended a conclusion upon the two first propositions, or a conclusion of the treaty in all the propositions of both parts." The king, who well knew it would be very ungracious to deny the disbanding of the armies, till all the propositions were agreed, some whereof would require much time, answered, "That he intended such a conclusion of, or in the treaty, as there might be a clear evidence to himself, and his subjects, of a future peace, and no ground left for the continuance or growth of those bloody dissensions; which, he doubted not, might be obtained, if both houses

"would consent that the treaty should proceed without farther interruption, or limitation of days." They asked him, "What he intended should be a clear evidence to him, and his good subjects, of a future peace, and no ground left for the continuance and growth of those bloody dissensions?" His majesty told them, "If the conclusion of the present treaty upon his first proposition, and the first proposition of both houses, should be so full, and perfectly made, that the law of the land might have a full, free, and uninterrupted course, for the defence and preservation of the rights of his majesty, and of themselves, and the rest of his subjects, there would be thence a clear evidence to him, and all men, of a future peace; and it would be such a conclusion as he intended, never meaning that both armies should remain undisbanded until the propositions on both sides were fully concluded." To the other clause of their own proposition concerning the king's return to the parliament, they said, "they had no instructions to treat upon it;" which the king much wondered at, and finding that they had no other authority to treat, or debate what was necessary to be done in order to disbanding, but only to press him to appoint a day for the actual disbanding; and that the forces in the north, where he had a great army, and they had none, might be first disbanded, he endeavoured to draw them to some propositions upon his return to the parliament; from whence expedients would naturally result, if they pursued that heartily, which would conclude a general peace. And it seemed very strange, that, after so many discourses of the king's absence from the houses, from whence they had taught the people to believe that most of the present evils flowed and proceeded, when a treaty was now entered upon, and that was a part of their own first proposition, that their committee should have no instructions or authority to treat upon it. In the end, they received new instructions, "to declare to his majesty the desire of both houses, for his coming to his parliament; which, they said, they had often expressed with full offers of security to his royal person, agreeable to their duty and allegiance, and they knew no cause why he might not repair thither with honour and safety." When the king found he could not engage them in that argument to make any particular overture, or invitation to him; and that the committee, who expressed willingness enough, had not in truth the least power to promote, or contribute to, an accommodation, lest they should make the people believe, that he had a desire to continue the war, because he consented not to their proposition of disbanding the armies, he sent this message, by an express of his own, to the two houses, after he had first communicated it to their committee.

*Oxford, April 12th, 1643.*

"To shew to the whole world, how earnestly his majesty longs for peace, and that no success shall make him desire the continuance of his army to any other end, or for any longer time, than that, and until, things may be so settled, as that the law may have a full, free, and uninterrupted course, for the defence and preservation of the rights of his majesty, both houses, and his good subjects:

1. "As soon as his majesty is satisfied in his

"first proposition, concerning his own revenue, magazines, ships, and forts, in which he desires nothing, but that the just, known, legal rights of his majesty, (devolved to him from his progenitors,) and of the persons trusted by him, which have violently been taken from both, be restored unto him, and unto them; unless any just and legal exception against any of the persons trusted by him (which are yet unknown to his majesty) can be made appear to him:

2. "As soon as all the members of both houses shall be restored to the same capacity of sitting and voting in parliament, as they had upon the first of January 1641; the same, of right, belonging unto them by their birthrights, and the free election of those that sent them; and having been voted from them for adhering to his majesty in these distractions; his majesty not intending that this should extend either to the bishops, whose votes have been taken away by bill, or to such, in whose places, upon new writs, new elections have been made:

3. "As soon as his majesty, and both houses, may be secured from such tumultuous assemblies, as to the great breach of the privileges, and the high dishonour of parliaments, have formerly assembled about both houses, and awed the members of the same; and occasioned two several complaints from the lords' house, and two several desires of that house to the house of commons, to join in a declaration against them; the complying with which desire might have prevented all these miserable distractions, which have ensued; which security, his majesty conceives, can be only settled by adjourning the parliament to some other place, at the least twenty miles from London, the choice of which his majesty leaves to both houses:

"His majesty will most cheerfully and readily consent, that both armies be immediately disbanded, and give a present meeting to both his houses of parliament at the time and place, at and to which the parliament shall be agreed to be adjourned: his majesty being most confident, that the law will then recover due credit and estimation; and that upon a free debate, in a full and peaceable convention of parliament, such provisions will be made against seditious preaching, and printing against his majesty, and the established laws, which have been one of the chief causes of the present distractions, and such care will be taken concerning the legal and known rights of his majesty, and the property and liberty of his subjects, that whatsoever hath been published, or done, in or by colour of any illegal declaration, ordinance, or order of one or both houses, or any committee of either of them, and particularly the power to raise arms without his majesty's consent, will be in such manner recalled, disclaimed, and provided against, that no seed will remain for the like to spring out of for the future, to disturb the peace of the kingdom, and to endanger the very being of it. And in such a convention his majesty is resolved, by his readiness to consent to whatsoever shall be proposed to him, by bill, for the real good of his subjects, (and particularly for the better discovery and speedier conviction of recusants; for the education of the children of papists by protestants in the protestant religion; for the prevention of practices of papists against the state;



"and the due execution of the laws, and true levying of the penalties against them,) to make known to all the world, how causeless those fears and jealousies have been, which have been raised against him; and by that so distracted this miserable kingdom. And if this offer of his majesty be not consented to, (in which he asks nothing for which there is not apparent justice on his side, and in which he defers many things highly concerning both himself and people, till a full and peaceable convention of parliament, which in justice he might now require,) his majesty is confident, that it will then appear to all the world, not only who is most desirous of peace, and whose fault it is that both armies are not now disbanded; but who have been the true and first cause, that this peace was ever interrupted, or those armies raised; and the beginning or continuance of the war, and the destruction and desolation of this poor kingdom (which is too likely to ensue) will not, by the most interested, passionate, or prejudicate person, be imputed to his majesty."

To this message the two houses returned no answer to the king, but required the committee to return to Westminster (having been in Oxford with his majesty just twenty days) with such positive circumstances, that the house of commons enjoined their members to begin their journey the same day; which they obeyed; though it was so late, that they were forced to very inconvenient accommodations; and at their return, some of them were looked upon with great jealousy, as persons engaged by the king, and disinclined to the parliament; and this jealousy prevailed so far, that Mr. Martin opened a letter from the earl of Northumberland to his wife, presuming he should therein have discovered some combination; and this insolence was not disliked.

Many were of opinion, that the king was too severe in this treaty, and insisted too much upon what is his own by right and law; and that if he would have distributed offices and places liberally to particular men, which had been a condescension in policy to be submitted to, he might have been repossessed of his own power. And I have heard this alleged by many, who at that time were extremely violent against all such artifices. The committee themselves (who at that time perfectly abhorred the proceedings of the parliament, or rather the power and superiority of the earl of Essex) seemed exceedingly desirous of such an accommodation, as all good men desired; and to believe, that if the king would have condescended so far, as to nominate the earl of Northumberland to be lord high admiral, that it would have made so great a division in the houses, that the treaty would have been continued, and his majesty been satisfied in all the other propositions. And the earl of Northumberland, to private friends, did make as full professions of future service to his majesty, and as ample recognitions of past errors and mistakes, as could reasonably be expected from a wary nature, before he could be sure what reception such professions and vows would find. But the king thought the power and interest of that committee would be able to do little, if it could not prevail for the enlarging the time of the treaty, in which they seemed heartily to engage themselves. And he was resolved at least to have a probable assurance of the conclusion, before he would offer

such concessions, as taking no effect might prove prejudicial to him: as the nominating the earl of Northumberland to be admiral (though he would willingly have done it, as the price and pledge of an honourable peace) would have discontented all who had, how unreasonably soever, promised themselves that preferment; and many would have imputed it to an unseasonable easiness, (from which imputation it concerned the king, at that time, as much to purge himself, as of unmercifulness and revenge,) upon promises and hopes, to have readmitted a man to a charge and trust, he had so fatally betrayed and broken, against more solemn promises and obligations, than he could now enter into; and therefore it concerned the king to be sure of some advantage, in lieu of this visible hazard.

I am one of those, who do believe that this obligation, at this time, laid upon the earl of Northumberland, with such other circumstances of kindness as would have been fit to accompany it, would have met real gratitude and faithfulness in him, (for as, originally, he had, I am persuaded, no evil purposes against the king; so he had now sufficient disdain and indignation against those who got him to tread their ways, when he had not their ends,) and that it would have made some rent and division in the two houses, (which could not but have produced some benefit to the king,) and that it might probably have procured some few days' addition for the continuance of the treaty; the avowed ground of denying it being, because the king had not, in the least degree, consented to any one thing proposed by them: but, I confess, I cannot entertain any imagination, that it would have produced a peace, or given the king any advantage, or benefit in the war: what inconvenience it might have produced hath been touched before. For, besides that the stirring and active party, who carried on the war, were neither gracious to the earl of Northumberland, nor he to them, their favourite at sea being then the earl of Warwick, who had the possession of the fleet, and whom alone they believed fit to be trusted with the navy; whoever calls to mind what was done in the houses, during the time of the treaty, and by their directions; that by their own authority they directed all the lands of bishops, deans, and chapters, to be sequestered, and inhibited their tenants to pay any rent to them; that, under pretence of searching for arms, and taking away superstitious pictures, they caused the queen's chapel at Somerset-house (where she was to exercise her devotion, if they ever meant she should return again to London) to be most licentiously rifled; in which license with impunity, her lodgings were plundered, and all her furniture and goods of value taken away and embezzled; that there was an order made in the house of commons, when they sent their messengers every day to Oxford without any formality or control, "that whatsoever person should come from Oxford, or any part of the king's army, to London, or the parts adjacent, without the warrant of both houses of parliament, or of the lord general the earl of Essex, he should be apprehended as a spy and intelligencer, and be proceeded against according to the rules and grounds of war:" by virtue of which order of the house of commons only, and without any communication that notice might be taken of it, a servant of the king's, for discharging

the duty of his place, was executed; which shall be remembered in its place; all which, except the execution of that man, was transacted during the time of the treaty at Oxford.

Whosoever remembers the other proposition upon which the treaty was founded, and the bills then presented to the king for his royal assent; that there was no unreasonable thing demanded in the nineteen propositions, which was not comprehended in these fourteen, and many additions made, that were not in the former; that they demanded the total abolition and extirpation of archbishops, bishops, deans, and chapters, and the whole frame of the government of the church; and another bill for the calling an assembly of divines, nominated by themselves, (which was a presumption, as contrary to the policy and government of the kingdom, as the most extravagant act they had done,) and consisting of persons the most deeply engaged in the most unwarrantable acts that had been done; and yet his majesty was required to promise to pass such other bills for settling church-government, as, upon consultation with that assembly of divines, should be resolved on by both houses of parliament: that all the other bills then presented to the king for his royal assent, and insisted on by their fourth proposition, though they had specious and popular titles, contained many clauses in them contrary to common equity, and the right of the subject, and introduced proceedings very different from the known justice of the kingdom; and therefore, besides the time and circumstances of the passing those acts, (when the nation was in blood,) not like to meet with his majesty's approbation; I say, whosoever remembers and considers all this, (to say nothing of the limitations by which their committee were bound, without any power of debating, or other capacity than to deliver the resolutions of the two houses, and to receive the king's answer, which might as effectually have been done by any one single ordinary messenger,) cannot, I conceive, believe, that the king's consenting to make any one person among them high admiral of England, would have been a means to have restored the kingdom to a present peace, and the king to his just authority and rights. And if all these considerations be not sufficient to render that supposition improbable, that, which follows next in order of story, will abundantly confute it.

On Saturday the 15th of April, which was the very day on which the treaty expired at Oxford, being the last of the twenty days which were first assigned, and to which no importunity of the king's could procure an addition, the earl of Essex marched with his whole army from Windsor, and sat down before Reading; which preparation would not have been so exactly made, and the resolution so punctually taken, if they had meant any reasonable concessions from the king should have frustrated that vast charge, and determined all farther contentions. The earl had never before been in the head of so gallant an army, which consisted of about sixteen thousand foot, and above three thousand horse, in as good an equipage, and supplied with all things necessary for a siege, as could be expected from an enemy which knew no wants, and had the command of the Tower of London, and all other stores of the kingdom. In the town were above three thousand foot, and a regiment of horse consisting of near three hundred; the forti-

fications were very mean to endure a formed siege, being made only to secure a winter quarter, and never intended for a standing garrison. And it is very true, that it was resolved at a council of war at Oxford, "that before the end of April," (before which time it was conceived the enemy would not adventure to take the field,) "sir Arthur Aston should slight those works, and draw off his garrison to the king;" and that which made it less able to bear a siege, than the weakness of their works, was their want of ammunition; for they had not forty barrels of powder; which would not have held a brisk and a daring enemy four hours. And as this defect proceeded not from want of foresight, so it was not capable of being supplied, at least in that proportion as was worthy the name of a supply. For the king had no port to friend, by which he could bring ammunition to Oxford; neither had he been yet able to set up any manufacture for any considerable supply. So that what he brought up with him after the battle of Edgehill, which was the remainder of the four hundred barrels brought by the ship called the Providence, before the setting up of his standard, had served for all his expeditions, being distributed into the several garrisons; and was still to furnish all his growing occasions; and that magazine now at Reading (which was no greater than is before mentioned) was yet double to what was in any other place, Oxford only excepted; wherein, at this time, there was not above one hundred barrels of powder, and in no one place match proportionable to that little powder: and this defect is wholly to be imputed to the lowness and straitness of the king's condition; for there was no want of industry, but all imaginable care and pains taken to prevent and supply it.

Notwithstanding all these difficulties, the town looked upon the enemy with courage and contempt enough; and, to say the truth, both officers and soldiers were as good, as in the infancy of a war could be expected; and they had no apprehension of want of victual, with which they were abundantly stored. The soldiers without were, for the most part, newly levied, and few of their officers acquainted with the way and order of assaulting towns; and this was the first siege that happened in England. Upon the first sitting down before it, after they had taken a full view of the ground, their general advised with his council of war, in what manner he should proceed, whether by assault or approach; in which there was great diversity of opinions. "The works were weak; the number of the assailants sufficient; all materials in readiness; the soldiers in the town full of apprehensions, and a very considerable party of the inhabitants disaffected to the garrison, who in the time of a storm would be able to beget a great distraction. That they might be able to storm it in so many places at once, that the number of the soldiers within would not be able to defend all; and if they prevailed in any one, their whole body of horse might enter, and be immediately masters of the town: if they prevailed this way, their army would have that reputation, and carry that terror with it, that no power of the king's would hereafter be able to abide it; but they might march over the kingdom, and subdue every part of it: whereas if they delayed their work, and proceeded by way of approach, those in the town would recover

"heart, and, after they had digested the present fears and apprehensions, condemn their danger; and their own soldiers, who were yet fresh and vigorous, would every day abate in courage, and their numbers in a few weeks lessen as much by sickness and duty, as they should probably do by an assault." On the other hand it was objected, "that the army consisted most of new levies," (and in truth there were not, of all that gallant army that was at Edge-hill, among the foot, three thousand men,) "who would be hardly brought to begin upon so desperate service; that it was the only army the parliament had, upon which all their hopes and welfare depended; and if in the spring it should receive an eminent foil, they would not recover their courage again all the summer. That they were not only to look upon the taking of Reading, but, pursuing that in a reasonable way, to keep themselves in a posture and condition to end the war by a battle with all the king's forces; which would no doubt apply themselves to their relief; and no place under heaven could be so commodious for them to try their fortune in, as that. Whereas if they should hastily engage themselves upon an onslaught, and receive a repulse, and should be afterwards forced to rise to fight with the king, they should never make their men stand; and then their cause was lost." For the danger of sickness among the soldiers, who were not acquainted with hardness, [it was urged,] "that though it were earlier in the year than the armies usually marched into the field, yet they had much better accommodation and provision than armies use to have; their horse (to whom that time of the year is commonly most formidable, through the want of forage) being plentifully provided for with hay and oats by the benefit of the river, and all supplies being sent for the foot out of London."

And in truth it is hardly credible what vast quantities (besides the provisions made in a very regular way by the commissioners) of excellent victual ready dressed were every day sent in waggon and carts from London to the army, upon the voluntary contributions from private families, according to their affections to the good work in hand; the common people being persuaded, that the taking of Reading would destroy all the king's hopes of an army, and that it would be taken in very few days. Upon these arguments and debates, (in which all these reasons were considered on both sides,) the major part of the council inclined, and with that the general complied, to pursue the business by approach. It was reported, that the officers of horse in the council were all for a storm, and the foot officers for approaching. The chief care and oversight of the approaches was committed to Philip Skippon, a man often mentioned in the first part of this history, who had been an old officer, and of good experience in the Low Countries, and was now made sergeant-major-general of the army, by the absolute power of the two houses, and without the cheerful concurrence of the earl of Essex; though sir John Merrick, who had executed that place by his lordship's choice from the beginning, was preferred to be general of the ordnance.

The approaches advanced very fast, the ground being in all places as fit for that work as could be, and the town lying so low, that they had many

batteries, from whence they shot their cannon into the town and upon their line at a near distance, but without any considerable execution; there being fewer lost by that service than will be believed, and but one man of note, lieutenant colonel D'Ewe, a young man of notable courage and vivacity, who had his leg shot off by a cannon bullet, of which he speedily and very cheerfully died. From the town there were frequent sallies with good success; and very many soldiers, and some officers, of the enemy were killed; more, hurt; who were sent to hospitals near London; and those that were sent to London, as many cart-loads were, were brought in the night, and disposed with great secrecy, that the citizens might take no notice of it: the stratagems of this kind are too ridiculous to be particularly set down, though pursued then with great industry, insomuch as some were punished for reporting that there were very many soldiers killed and hurt before Reading; and it was a mark of malignity to believe those reports; so unfit the people were to be trusted with all truths.

Within a week after the beginning of the siege, sir Arthur Aston the governor being in a court of guard near the line which was nearest to the enemy's approaches, a cannon shot accidentally lighted upon the top of it, which was covered with brick-tile, a piece whereof, the shot going through, hit the governor in the head, and made that impression upon him, that his senses shortly failed him, so that he was not only disabled afterwards from executing in his own person, but incompetent for counsel or direction; so that the chief command was devolved to colonel Richard Fielding, who was the eldest colonel of the garrison. This accident was then thought of great misfortune to the king, for there was not in his army an officer of greater reputation, and of whom the enemy had a greater dread. The next night after this accident, but before it was known at Oxford, a party from thence under the command of Mr. Wilmot, the lieutenant general of the horse, without any signal opposition, put in a supply of powder, and a regiment of five hundred foot into the town, but received advertisement from thence of the governor's hurt, and that they must expect to be relieved within a week, beyond which time they should not be able to hold out. How ill the king was provided for such an expedition, will best appear by remembering how his forces were then scattered, and the present posture he was then in at Oxford.

The nimble and the successful marches of sir William Waller, whom we left triumphing in Wales, after his strange surprise of the lord Herbert's forces near Gloucester, caused the king to send prince Maurice with a strong party of horse and dragoons to attend him, who moved from place to place with as great success as speed, after his success at Hynam; and to make the shame of those officers the less, with the spirit of victory doubled upon him, he came before Hereford, a town very well affected, and reasonably well fortified, having a strong stone wall about it, and some cannon, and there being in it some soldiers of good reputation, and many gentlemen of honour and quality; and three or four hundred soldiers, besides the inhabitants well armed; yet, without the loss of one man on either side, to the admiration of all who then heard it, or have ever since heard of it, he persuaded them fairly to give up the town, and yield themselves prisoners upon quarter; which they

did, and were presently by him sent for their better security to Bristol.

From thence he marched to Worcester, where his conquests met some stop; for though the town was not so strong, nor the garrison so great, (I mean of soldiers; for the inhabitants were more,) as Hereford, nor one officer in it of more experience than he had gotten this unhappy war, the inhabitants had the courage to resolve not to admit any summons or messenger from him; and when his drum, against all signs made to him from the walls not to approach, did notwithstanding refuse to return without delivering his message, they shot at him, and killed him; and when sir William Waller himself, to revenge that affront, marched with his whole body towards them, (there being only an old gate, without bridge or work, before it, to hinder his entrance into the town,) they entertained him so roughly, that he was forced to retire with the loss of some officers, and about twenty common men; after which, his men having not been accustomed to such usage, he got over the Severn again, and, with quick night marches, so avoided prince Maurice, (who took no less pains to meet with him,) that with some few light skirmishes, in which he received small loss, he carried his party safe, and full of reputation, through Gloucester to the earl of Essex's army before Reading; himself being sent for to London, upon a design that must be hereafter mentioned.

The great want at Oxford (if any one particular might deserve that style, where all necessary things were wanted) was ammunition; and the only hope of supply was from the north; yet the passage from thence so dangerous, that a party little inferior in strength to an army was necessary to convey it; for though the earl of Newcastle, at that time, was master of the field in Yorkshire, yet the enemy was much superior in all the counties between that county and Oxford; and had planted many garrisons so near all the roads, that the most private messengers travelled with great hazard, three being intercepted for one that escaped. To clear these obstructions, and not without the design of guarding and waiting on the queen to Oxford, if her majesty were ready for that journey, at least to secure a necessary supply of powder, prince Rupert resolved in person to march towards the north, and about the beginning of April (the treaty being then at Oxford, and [there being] hopes that it would have produced a good effect, at least that the earl of Essex would not have taken the field till May) his highness, with a party of twelve hundred horse and dragoons, and six or seven hundred foot, marched towards Litchfield; which if he could reduce, and settle there a garrison for the king, lay most convenient for that northern communication; and would with it dissolve other little adjacent holds of the enemy's, which contributed much to their interruption. In his way thither, he was to march through Bromicham, a town in Warwickshire before mentioned, and of as great fame for hearty, wilful, affected disloyalty to the king, as any place in England. It is before remembered, that the king in his march from Shrewsbury, notwithstanding the eminent malignity of that people, had shewed as eminent compassion to them; not giving way that they should suffer by the undistinguishing license of the soldier, or by the severity of his own justice; which clemency of his found so unequal a return, that, the next day after his re-

move thence, the inhabitants of that place seized on his carriages, wherein were his own plate and furniture, and conveyed them to Warwick castle; and had from that time, with unusual industry and vigilance, apprehended all messengers who were employed, or suspected to be so, in the king's service; and though it was never made a garrison by direction of the parliament, being built in such a form, as was indeed hardly capable of being fortified, yet they had so great a desire to distinguish themselves from the king's good subjects, that they cast up little slight works at both ends of the town, and barricadoed the rest, and voluntarily engaged themselves not to admit any intercourse with the king's forces.

In this posture prince Rupert now found them, having in the town with them at that time a troop of horse, belonging to the garrison of Litchfield, which was grown to that strength, that it infested those parts exceedingly; and would in a short time have extended itself to a powerful jurisdiction. His highness hardly believing it possible, that, when they should discover his power, they would offer to make resistance, and being unwilling to receive interruption in his more important design, sent his quarter-masters thither to take up his lodging; and to assure them, "that if they behaved themselves peaceably, they should not suffer for what was past:" but they had not consciences good enough to believe him, and absolutely refused to let him quarter in the town; and from their little works, with mettle equal to their malice, they discharged their shot upon him; but they were quickly overpowered, and some parts of the town being fired, they were not able to contend with both enemies; and, distracted between both, suffered the assailant to enter without much loss; who took not that vengeance upon them they deserved, but made them expiate their transgressions with paying a less mulct than might have been expected from their wealth, if their wickedness had been less.

In the entrance of this town, and in the too eager pursuit of that loose troop of horse that was in it, the earl of Denbigh (who from the beginning of the war, with unwearied pains, and exact submission to discipline and order, had been a volunteer in prince Rupert's troop, and been engaged with singular courage in all enterprises of danger) was unfortunately wounded with many hurts on the head and body with swords and poleaxes; of which, within two or three days, he died. And but for which accident, (and to remember the dismal inequality of this contention, in which always some earl, or person of great honour or fortune, fell, when, after the most signal victory over the other side, there was seldom lost a man of any known family, or of other reputation, than of passion for the cause in which he fell,) I should not have wasted so much paper in mentioning an action of so little moment, as was this of Bromicham: which I shall yet enlarge with the remembrance of a clergyman, who was here killed at the entering of the town, after he had not only refused quarter, but provoked the soldier by the most odious revilings and reproaches of the person and honour of the king, that can be imagined, and renouncing all allegiance to him; in whose pockets were found several papers of memorials of his own obscene and scurrilous behaviour with several women, in such loose expressions, as modest ears cannot endure.

And this man was the principal governor and incendiary of the rude people of that place against their sovereign. So full a qualification was a heightened measure of malice and disloyalty for this service, that it weighed down the infamy of any other lewd and vicious behaviour.

From Bromicham, the prince, without longer stay than to remove two or three slight garrisons in the way, which made very little resistance, marched to Litchfield, and easily possessed himself of the town, which lay open to all comers; but the close (which contained the cathedral church and all the clergymen's houses) was strongly fortified, and resolved against him. The wall, about which there was a broad and deep moat, was so thick and strong, that no battery the prince could raise would make any impression; the governor, one colonel Rouswell, very resolute; and the garrison of such men as were most transported with superstition to the cause in which they were engaged, and in numbers equal to the ground they were to keep, [and] their provisions ample for a longer time than it was fit the prince should stay before it. So that it was believed, when his highness had in vain endeavoured to procure it by treaty, he would not have engaged before it; for his strength consisted, upon the matter, wholly in horse; his foot and dragoons being an inconsiderable force for such an attempt. But whether the difficulties were not thoroughly discerned and weighed at first, or whether the importance of the place was thought so great, that it was worth an equal hazard and adventure, he resolved not to move till he had tried the uttermost; and, to that purpose, drew what addition of force he could out of the country, to strengthen his handful of foot; and persuaded many officers and volunteers of the horse to alight, and bear their parts in the duty; with which they cheerfully and gallantly complied; and in less than ten days he had drawn the moat dry, and prepared two bridges for the graff. The besieged omitted nothing that could be performed by vigilant and bold men; and killed and wounded many of the besiegers; and disappointed and spoiled one mine they had prepared. In the end, early in the morning, the prince having prepared all things in readiness for the assault, he sprung another mine; which succeeded according to wish, and made a breach of twenty foot in the wall, in a place least suspected by those within; yet they defended it with all possible courage and resolution, and killed and hurt very many; some, officers of prime quality; whereof the lord Digby, colonel Gerrard, colonel Wagstaffe, and major Leg, were the chief of the wounded; and when they had entered the breach, they continued the dispute so fiercely within, (the narrowness of the breach, and the ascent, not suffering many to enter together, and no horse being able to get over,) that after they had killed colonel Usher, and some other good officers, and taken others prisoners, (for both colonel Wagstaffe and William Leg were in their hands,) they compelled the prince to consent to very honourable conditions; which he readily yielded to, as thinking himself a gainer by the bargain. And so the garrison marched out with fair respect, and a princely testimony of having made a courageous defence; his highness being very glad of his conquest, though the purchase had shrewdly shaken his troops, and robbed him many officers and soldiers he much valued. At

this time, either the day before or the day after this action, prince Rupert received a positive order from the king, "to make all possible haste, with all the strength he had, and all he could draw together from those parts, to the relief of Reading;" which was in the danger we but now left it. Upon which his highness, committing the government of Litchfield to colonel Baggot, a son of a good and powerful family in that county, and appointing his troops to make what haste was possible after him, himself with a few servants came to Oxford to attend the king, whom he found gone towards Reading.

The importunity from that garrison for relief was so peremptory, and the concernment so great in their preservation, that the king found it would not bear the necessary delay of prince Rupert's returning with his forces; and therefore his majesty in person, with those horse and foot which he could speedily draw together, leaving very few behind him in Oxford, or in any other garrison, advanced towards Reading; hoping, and that was the utmost of his hope, that he might, with the assistance of the garrison, be able to force one quarter, and so draw out his men; and by the advantage of those rivers which divided the enemy, and by the passes, be able to retire to Oxford; for being joined, he could not have equalled one half of the enemy's army. When he drew near the town, the day being passed whereon they had been promised, or had promised themselves, relief, he was encountered by a party of the enemy, which defended their post, and being quickly seconded by supplies of horse and foot from all their quarters, after a very sharp conflict, in which many fell on both sides, the king's party, commanded by the earl of Forth himself, (the general,) consisting of near one thousand musketeers, was forced to retire to their body; which they did the sooner, because those of the town made no semblance of endeavouring to join with them; which was what they principally relied upon. The reason of that was, the garrison, not seeing their relief coming, sent for a parley to the enemy, which was agreed to, with a truce for so many hours, upon which hostages were delivered; and a treaty begun, when the king came to relieve it. Upon the view of the enemy's strength and intrenchment, all were of opinion that the small forces of the king would not be able to raise the siege, or to join with those in the town; and in this melancholic conclusion his majesty retired for the present, resolving to make any other reasonable attempt the next day. In the mean time, some soldiers found means to escape out of the town, and colonel Fielding himself in the night came to the king, and told him the state they were in; and "that they were in treaty, and he believed might have very good conditions, and liberty to march away with all their arms and baggage;" which was so welcome news, that the king bid him, prince Rupert being then present, "that, if he could procure such conditions, he should accept them;" for indeed the men and the arms were all that the king desired, and the loss of either of which was like to prove fatal to him. The king continued still at Nettlebedd, a village seven or eight miles distant from Reading, to attend the success of the treaty; resolving, if it succeeded not, to try the utmost again for their redemption: but all men praying heartily for liberty to march off upon the treaty, the next day these articles were agreed on.





Engraved by H. T. L. 1

**WILLIAM FIELDING, EARL OF DENBIGH**

**OBITUARY**

**FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF**

**HIS GRACE THE DUKE OF HAMILTON**





1. "That the governor, commanders, and soldiers, both horse and foot, might march out with flying colours, arms, and four pieces of ordnance, ammunition, bag and baggage, light match, bullet in mouth, drums beating, and trumpets sounding.

2. "That they might have free passage to his majesty's city of Oxford, without interruption of any of the forces under the command of his excellency the earl of Essex; provided the said governor, commanders, and soldiers, use no hostility until they come to Oxford.

3. "That what persons were accidentally come to the town, and shut up by the siege, might have liberty to pass without interruption; such persons only excepted, as had run away from the army under the command of the earl of Essex.

4. "That they should have fifty carriages for baggage, sick, and hurt men.

5. "That the inhabitants of the town of Reading should not be prejudiced in their estates, or persons, either by plundering or imprisonment; and that they who would leave the town, might have free leave, and passage, safely to go to what place they would, with their goods, within the space of six weeks after the surrender of the town.

6. "That the garrison should quit the town by twelve of the clock the next morning; and that the earl of Essex should provide a guard for the security of the garrison soldiers, when they began to march."

Upon these articles, signed by the earl of Essex, the town was delivered on the 27th day of April, (being within a fortnight after the siege began,) and the garrison marched to the king, who stayed for them, and with him to Oxford. But at their coming out of the town, and passing through the enemy's guards, the soldiers were not only reviled, and reproachfully used, but many of them disarmed, and most of the waggons plundered, in the presence of the earl of Essex himself, and the chief officers; who seemed to be offended at it, and not to be able to prevent it; the unruliness of the common men being so great. And as this breach of the articles was very notorious and inexcusable, so it was made the rise, foundation, and excuse for barbarous injustice of the same kind throughout the greatest part of the war; inasmuch as the king's soldiers afterward, when it was their part to be precise in the observation of agreements, mutinously remembered the violation at Reading, and thereupon exercised the same license; from thence, either side having somewhat to object to the other, the requisite honesty and justice of observing conditions was mutually, as it were by agreement, for a long time after violated.

There had been, in the secret committee for the carrying on the war, forming those designs, and administering to the expenses thereof, a long debate with great difference of opinion, whether they should not march directly with their army to besiege Oxford, where the king and the court was, rather than Reading; and if they had taken that resolution, as Mr. Hambden, and all they who desired still to strike at the root, very earnestly insisted upon, without doubt they had put the king's affairs into great confusion. For, besides that the town was not tolerably fortified, nor the garrison well provided for, the court, and multitude of no-

bility, and ladies, and gentry, with which it was inhabited, bore any kind of alarm very ill. But others, who did not yet think their army well enough composed to resist all temptations, nor enough subdued in their inclinations to loyalty, and reverence towards the person of the king, had no mind it should besiege the very place where the king himself was; and the earl of Essex himself, who was yet the soul of the army, had no mind to that enterprise: and so the army marched, as hath been said, directly to Reading, with the success that is mentioned.

Though, at the instant, the parliament was highly pleased with the getting the town, and the king as well contented, when he saw his entire garrison safely joined to the rest of his army, (for it cannot be denied the joy was universal through the king's quarters, upon the assurance, that they had recovered full four thousand good men, whom they had given for lost,) yet, according to the vicissitudes in war, when the accounts are cast up, either party grew quickly dissatisfied with its success. The king was no sooner returned to Oxford, but, upon conference between the officers and soldiers, there grew a whisper, "that there had not been fair carriage, and that Reading had been betrayed," and from thence made a noise through Oxford; and the very next day, and at the same time, colonel Fielding, upon whom the discourses reflected, came to the king to desire, "that an account might be taken of the whole business at a council of war for his vindication;" and the common soldiers, in a disorderly manner, "to require justice against him for betraying and delivering up the town to the rebels;" which they avowed with so much confidence, with the mention of some particulars, "as having frequent intercourse with the earl of Essex, and hindering and forbidding the soldiers to issue out of the town to join with the king, when he came to relieve them, albeit their officers had drawn them up to that purpose, and were ready to lead them;" and the like; with some rash and passionate words disrespectful to his majesty; so that he gave present order for his commitment, and trial at a court of war; the king himself being marvellously incensed against him, for that clause in the third article, which gave liberty to all who were accidentally come to the town, and shut up by the siege, to pass without interruption, wherein there was an exception of such persons who had run away from the earl of Essex's army, and by virtue of that exception some soldiers of that kind were taken after the rendering of the town, and were executed. And though the colonel excused himself, "as being no more concerned to answer for the articles, than every member of the council of war, by which they were agreed;" yet it was alleged, "that the council of war had been induced to consent to those articles, upon the colonel's averment, that the king had seen them, and approved of them." Whereas his majesty had never seen any articles in writing, but only consented, that they should march away with their arms and baggage, if the enemy agreed to those conditions. I have not known the king more afflicted than he was with that clause, which he called no less "than giving up those poor men who, out of conscience of their rebellion, had betaken themselves to his protection, to be massacred and murdered by the rebels, whom they

"had deserted;" and, for the vindication of himself therein, he immediately published a proclamation, in which he took notice of that clause; and declared to all the world,

"That he was not privy to, or, in the least degree, consenting to that exception, but held the same most prejudicial to his service, and derogatory [to] his honour; and that he would always choose to run any hazard or danger, the violence or treason of his enemies could threaten, or bring upon him, rather than he would withdraw or deny his protection to any, who, being convinced in their conscience of their disloyalty, should return to their duty, and betake themselves to his service. And as he had referred to a court of war the full examination of all the particular proceedings, in the delivery of that town, that so justice might be done accordingly; so he did declare, that he would always proceed with all severity against such, as should, by the like dishonourable conditions, expose his subjects, and bereave them of his protection that had returned to their obedience to him."

At the trial, it was objected against the colonel, "that the town might have been longer defended, there being want of no necessary provision, and as much powder, at the giving it up, as there was when the enemy came first before it; for, besides the first supply, sixteen barrels were put in during the skirmish, when the king came to relieve it: that several colonels pressed very earnestly to sally, when the king's forces were engaged, and that they were expressly hindered and forbidden by him: that he frequently gave his pass to a woman to go out of the town, who went into the earl of Essex's army, and returned again: that he persuaded the council of war to consent to the articles, by protesting that the king had well approved them, and reproached those officers who were of another opinion;" with some other particulars of license and passion, which reflected more upon his discretion, than his honesty, or conduct.

He justified himself "to have done nothing towards the delivery of the place, but upon full consideration, advice, and approbation of the council of war: that he was in his own conscience and judgment satisfied, that the substance of the articles were advantageous for his majesty's service; and though it was true, by that last supply of ammunition, their store was near as much as when the siege begun; yet it was in all but thirty-two barrels, which would have lasted but few hours, if the enemy, who had approached within little more than pistol-shot of some parts of their works, should attack them in that manner as they had reason to expect; and if they had held out longer, when it had appeared that the king was not strong enough to relieve them, they should not have been admitted to such conditions: and therefore, that he believed a hazard of so great a concernment was not to be run, when he well knew his majesty's former resolution of slighting the garrison; and that it would not be now done above a fortnight sooner than was intended: that he had no knowledge of his majesty's approach, till the forces were engaged, when a truce was concluded, and their hostages in the enemy's hands; and therefore, that he conceived it against the law of arms to make any attempt from the town; and before

"they could sufficiently deliberate it in council, his majesty's forces retired: that the woman, to whom he gave a pass, was one he often employed as a spy, with very good effect; and he did believe, the advantage he received by it was greater than she could carry to the enemy by any information she could give: that he did persuade the council of war to consent to the conditions, because he believed them very profitable to his majesty, and he had averred only his majesty's approbation of the general substance of the articles, never applied it to the clause of the third article, which he much desired to have altered, but could not obtain the consent of the enemy. If he had been intemperate, or passionate to any, who were of another opinion, or had used any passionate expressions in the debate, it proceeded only from his zeal to the service, and his apprehension of the loss of so many good men, upon whom he well knew the king much depended: that he might have committed many indiscretions, for which he desired pardon, but had not failed in point of fidelity: that, by the unfortunate hurt of the governor, the command was devolved upon him by his right of seniority, not any ambitious design of his own: that he had, from time to time, acquainted sir Arthur Aston with the state and condition they were in; and though his indisposition of health was such, that he would not give positive orders, he seemed to approve of all that was done; and though, for the former reason, he refused to sign the articles, yet they were read to him, and he expressed no dislike of them." The truth of it is, sir Arthur Aston was believed by many, not to be in so incompetent a condition to command as he pretended; and that albeit his head was so much swoln, that he might not in person venture upon any execution, yet that his understanding, or senses, were not much distempered, or discomposed; and that he only positively waved meddling, out of dislike of the condition they were in. And it is true, that, when he came to Oxford, he could speak as reasonably of any matter, as ever I knew him before, or after.

Notwithstanding all the defence the colonel could make for himself, and that there was not indeed any colour of proof, that he had acted any thing treacherously, he was, upon an article "of not obeying orders," (for in this agitation he had received some such, which he had not precisely observed,) "sentenced to lose his head;" which judgment, after long and great intercession, was, in the end, remitted by the king; but his regiment disposed to another; and he never restored to that command. And though he had been always before of an unblemished reputation for honesty and courage, and had heartily been engaged from the beginning of the troubles, and been hurt in the service, and he appeared afterwards as a volunteer, with the same courage, in the most perilous actions, and obtained a principal command in another of the king's armies, he never recovered the misfortune and blemish of this imputation. And yet I must profess for my part, being no stranger to what was then alleged and proved on either party, I do believe him to have been free from any base compliance with the enemy, or any cowardly declension of what was reasonably to be attempted. So fatal are all misfortunes, and so difficult a thing it

is to play an after-game of reputation, in that nice and jealous profession.

The inconveniences and mischiefs, that resulted to the king from this accident, were greater than were at that time taken notice of; for from this, the factions in court, army, and city (which afterwards grew very troublesome to the king) were dated, and took their original; great animosities grew between the officers of the army; some being thought to have been too passionate and solicitous in the prosecution of the colonel, and too much to have countenanced the rage and fury of common soldiers in demanding [justice on] their officer; for from such a kind of clamour it began. Others again were as much condemned for a palpable avowed protection of him, thereby to shew their power, that a person they favoured should not suffer; and of both these, some were more violent than they should have been; which several inclinations equally possessed the court, some believing that he was really guilty of treachery, though not so clearly proved; and therefore that, being within the mercy of the law, upon another article, no mercy ought to be shewed to him; others as really supposing him innocent, and therefore thinking it great pity, severely to take the forfeiture, upon such a point, as few officers of the army did not know themselves guilty in: these supposing the former too full of rigour and uncharitableness; and they again accusing the other of too much lenity and indulgence; whilst many gentlemen of honour and quality, whose fortunes were embarked with the king, grew extremely jealous, that the parliament had corrupted some of the king's officers with rewards, and that others had power to protect them from punishment and discovery; and the soldiers again as much incensed, that their lives must be sacrificed, upon casual and accidental trespasses, to the animosity and jealousy of those who run not the same dangers with them.

But these indispositions and distempers were the effects of the exigents of that time, (I wish the humours had been impaired when the times mended,) and very many, who saw the king's condition very low in an instant, and believed the rebels to be most flourishing, would look no farther for a reason, than the loss of Reading; though they had all still, but the town; which was never intended to be kept. It is most certain, that the king himself was so far from believing the condition he was in to be tolerable, that, upon the news of the earl of Essex's advance towards Oxford, within four or five days after the loss of Reading, he once resolved, and that by the advice of the chief officers of his army, to march away towards the north, to join with the earl of Newcastle. And if the earl of Essex had, at that time, but made any show of moving with his whole body that way, I do verily persuade myself, Oxford itself, and all the other garrisons of those parts, had been quitted to them; but those fears were quickly composed, by an assurance of the earl's stay at Reading; and that he was not in a posture for a present march, and that his numbers had been shrewdly lessened by the siege: whereupon the king resolved to abide him, and give him battle about Oxford, if he advanced; and, in the mean time, encamped his foot upon the down, about a mile from Abingdon; which was the head quarter for his horse.

When the season of the year grew ripe for taking the field, the earl of Essex found that his too

early march had nothing advanced his affairs; the soldiers having performed so strict duty, and lodging upon the ground, in frost and rain, before Reading, had produced great sickness and diseases in his army, which had wasted abundance of his men; so that he wanted rather another winter quarter to recover and recruit his men, than an opportunity to engage them in action; which he found would be too often administered. He sent daily importunities to the parliament for supplies of all kinds, which they were not enough furnished with to satisfy him; new divisions and animosities arose there, to perplex their counsels. Their triumph upon the taking of Reading, which they had celebrated with loud festivity, and made the city believe, that all those benefits would attend it, which they knew would be most grateful to them, appeared now without any fruit; the king had all his forces and army entire, and had only lost a town that he never meant to keep, and which they knew not what to do with; and was now ready to come into the field, when theirs was destitute of health, and all those accommodations, which must enable them to march: and their general every day reiterated his complaints, and reproached them with the unskilful orders they had sent him, by which, against all the advice and arguments he had given them, he was reduced to that extremity.

The absurd and uncivil breaking off of the treaty with the king was urged by their commissioners; who thought themselves disobliged by it, and published the king's gracious disposition, and the temper of the council in Oxford, to be different from what the parliament desired it should be believed. They complained of jealousies which had been entertained of their integrity; and the earl of Northumberland, having discovered that Harry Martin had opened a letter, which he had writ from Oxford to his wife, to know what was included in it, took him aside, after a conference in the painted chamber between the two houses, and questioned him upon it; and the other giving him some rude answers in justification of it, the earl cudgelled him in that presence; upon which many swords were drawn, to the great reproach and scandal of the parliament.

These and the like instances of distraction and confusion brought the reputation of that party low; and made it looked upon, as like to destroy itself without an enemy; whilst the king's party, at that distance, seemed to be more united, and to have recovered their spirits, of which they received frequent evidence by the news of some of their quarters being beat up, and many of their men being lost by the unexpected incursions of the king's horse; whereof some parties, by night marches, and unusual lanes, went often near London, and took many prisoners, who thought themselves secure, in their houses, and in journeys they made; and who were put to ransom themselves with good sums of money: so that, after all those mountains of promises, and undertakings, the wants were greater, and the city more importuned for money, and the parliament visibly more necessitated for want of it, than they had been before; and instead of dispersing the king's army, and bringing the king back to his parliament, a sudden direction was given, and a vigorous execution of that direction was begun, to draw a line about the city of London and Westminster, and to fortify it; lest the king's forces might break in

upon them; which made the people suspect the state of their affairs to be worse than in truth it was; and so far were they from any thoughts of peace and accommodation, that the house of commons raged more furiously than ever; and every day engaged themselves in conclusions more monstrous than they had yet entered upon. For the supply of the charge of the war, they proposed settling and imposing an excise upon such commodities as might best bear it; which was a burden the people of England had hitherto reproached other nations with, as a mark of slavery, and as never feared by themselves; and for the exercise of the sovereign power, they resolved it fit to make a new great seal, to be always resident with the houses. But the lords were not yet arrived at that presumption, but plainly refused to concur with them in either.

Whilst both armies lay quiet, the one about Reading, the other about Abingdon, or Oxford, without attempting one upon the other, or any action, save some small enterprises by parties, (in which the king got advantage; as the young earl of Northampton fortunately encountered a party of horse and foot from Northampton, which thought themselves strong enough to attempt upon Banbury: and having routed their horse, killed above two hundred of their foot, and took as many more prisoners, most whereof were shrewdly hurt, the young earl that day sacrificing to the memory of his father,) the king received from the earl of Newcastle, by a strong party of horse, a good and ample supply of ammunition; the want whereof all men looked upon with great horror. As soon as this was arrived, and the king heard that his armies, both in the north and west, began to flourish, and thought himself well provided to encounter the earl of Essex, if he desired it; his majesty resolved once more to try, whether the two houses would incline to a reasonable peace; and to that purpose sent a message to them by an express servant of his own, in these words:

"Since his majesty's message of the 12th of April (in which he conceived he had made such an overture for the immediate disbanding of all armies, and composure of those miserable and present distractions, by a full and free convention of parliament, that a perfect and settled peace would have ensued) hath in all this time, above a full month, procured no answer from both houses, his majesty might well believe himself absolved, both before God and man, from the least possible charge of not having used his utmost endeavours for peace: yet, when he considers, that the scene of all this calamity is in the bowels of his own kingdom; that all the blood, which is spilt, is of his own subjects; and that what victory soever it shall please God to give him, must be over those who ought not to have lifted up their hands against him; when he considers, that these desperate civil dissensions may encourage and invite a foreign enemy, to make a prey of the whole nation; that Ireland is in present danger to be totally lost; that the heavy judgments of God, plague, pestilence, and famine, will be the inevitable attendants of this unnatural contention; and that in a short time there will be so general a habit of uncharitableness and cruelty contracted through the whole kingdom, that even peace itself will not restore his people to their old temper

"and security; his majesty cannot but again call for an answer to that his gracious message, which gives so fair a rise to end these unnatural distractions. And his majesty doth this with the more earnestness, because he doubts not the condition of his armies in several parts; the strength of horse, foot, artillery, his plenty of ammunition, (when some men lately might conceive he wanted,) is so well known and understood, that it must be confessed, nothing but the tenderness and love to his people, and those Christian impressions, which always live, and he hopes always shall dwell, in his heart, could move him once more to hazard a refusal. And he requires them, as they will answer to God, to himself, and all the world, that they will no longer suffer their fellow-subjects to welter in each other's blood; that they would remember by whose authority, and to what end, they met in that council, and send such an answer to his majesty, as may open a door to let in a firm peace, and security to the whole kingdom. If his majesty shall again be disappointed of his intentions therein, the blood, rapine and destruction, which may follow in England and Ireland, will be cast upon the account of those who are deaf to the motive of peace and accommodation."

This message was received by the house of peers (to whom it was directed) with all demonstration of respect and duty, and the messenger very civilly intreated by them: but when they communicated, it [to] the house of commons, and desired their concurrence in preparing an address to the king suitable to his gracious invitation, that house was so far from concurring with them, that they gave immediate order (which was executed accordingly) for the apprehension and commitment of the gentleman who brought the message; and declared, "that they would proceed against him at a council of war," upon the order formerly mentioned, made by them when the treaty was at Oxford, "that any person coming from Oxford without their general's pass, or one from the houses, should be punished as a spy;" to which order, as the peers never consented, so the king had never, till this commitment, notice of it; and themselves, after the making it, had sent several messengers to the king, without any formality of pass or trumpet.

The lords did what they could, publicly and privately, to dissuade this course; but they could not prevail: the house of commons finding that the very imagination that a peace might be concluded, infinitely retarded their carrying on the war, and made not only those, who were yet free, not easy to be drawn in; but many, who were engaged, remiss, and willing to retire; and therefore they resolved to proceed with that vigour and resolution, that no reasonable man should believe it possible for the king to gain a peace but by subduing them, which seemed at least equally impossible. To this purpose, instead of returning any answer to the king's message, within three days after the receiving it they impeached the queen of high treason, "for assisting the king her husband with arms, and ammunition, in the prosecution of the war against them;" an attempt as unheard of among all the acts of their predecessors, and as unimagined as any thing they had yet ventured upon: their clergy sounded their trumpets louder to war than ever, if it was possible; and they re-

solved, that assembly of divines, to which they had at the treaty urged the king's consent, should now meet by an ordinance of their own, with an addition of some members of either house to that number.

There had been, some months before, a design of prince Rupert upon the city of Bristol, by correspondence with some of the chief inhabitants of the city, who were weary of the tyranny of the parliament; but it had been so unskillfully or unhappily carried, that, when the prince was near the town, with such a party of horse and foot, as he made choice of, it was discovered, and many principal citizens apprehended by Nathaniel Fiennes, son to the lord Say, and then governor of that city for the parliament; at this time, special direction and order was sent thither, "that he should, with all severity, and expedition, proceed against those conspirators," (as they called them;) and thereupon, by a sentence and judgment of a council of war, alderman Yeomans, who had been high sheriff of the city, and of great reputation in it, and George Bouchier, another citizen of principal account, were (against all interposition his majesty could make) both hanged; and all other imaginary acts done, to let all the world see that there was no way to peace but by the sword.

There fell out now an accident at London, which gave great advantage to them in the fierce prosecution of the war, a discovery of a plot, which produced a public thanksgiving to God for their deliverance, a wonderful animosity against the king, and a covenant, and union among themselves, and throughout the city a prejudice to all moderate men, who promoted an accommodation, and a brand upon all overtures of accommodation and peace as stratagems upon the city and the parliament. Of this plot, there being never such a formed relation made by those who made great use of it, that men can collect what the design was, or that it was laid with any probable circumstances, by which a success might be expected, I shall briefly and faithfully set down all that I know, have heard, or can reasonably conjecture to be in it; and it was thought by many, and averred by others who I believe did not think so, "that I knew as much of it as most men."

There was of the house of commons, one Mr. Waller, a gentleman of a very good fortune and estate, and of admirable parts, and faculties of wit and eloquence, and of an intimate conversation and familiarity with those who had that reputation. He had, from the beginning of the parliament, been looked upon by all men, as a person of very entire affections to the king's service, and to the established government of church and state; and, by having no manner of relation to the court, had the more credit and interest to promote the rights of it. When the ruptures grew so great between the king and the two houses, that very many of the members withdrew from those councils, he, among the rest, with equal dislike absented himself; but at the time the standard was set up, having intimacy and friendship with some persons now of nearness about the king, with the king's approbation, he returned again to London; where he spake, upon all occasions, with great sharpness and freedom; which (now there were so few there that used it, and there was no danger of being overvoted) was not restrained; and therefore used as an argument against those, who were gone upon

pretence "that they were not suffered to declare their opinion freely in the house; which could not be believed, when all men knew, what liberty Mr. Waller took, and spake every day with impunity, against the sense and proceedings of the house." This won him a great reputation with all people who wished well to the king; and he was looked upon as the boldest champion the crown had in both houses; so that such lords, and commons, who really desired to prevent the ruin of the kingdom, willingly complied in a great familiarity with him, as a man resolute in their ends, and best able to promote them. And it may be they believed his reputation at court so good, that he would be no ill evidence there, of other men's zeal and affection; and so all men spake their minds freely to him, both of the general distemper, and of the passions and ambition of particular persons: all men knowing him to be of too good a fortune, and too wary a nature, to engage himself in designs of danger or hazard.

Mr. Waller had a brother-in-law, one Mr. Tomkins, who had married his sister, and was clerk of the queen's council, of very good fame for honesty and ability. This gentleman had good interest and reputation in the city, and conversed much with those who disliked the proceedings of the parliament, and wished to live under the same government they were born; and from those citizens received information of the temper of the people, upon accidents, in the public affairs. And Mr. Waller and he, with that confidence that uses to be between brethren of the same good affections, frequently imparted their observations and opinions to each other; the one relating, how many in both houses inclined to peace; and the other making the same judgment upon the correspondence he had, and intelligence he received from the most substantial men of London; and both of them again communicated what one received from the other, to the company [they] used to converse with; Mr. Waller imparting the wishes and power of the well affected party in the city, to the lords and gentlemen whom he knew to be of the same mind; and Mr. Tomkins acquainting those he durst trust of the city, that such and such lords and gentlemen, who were of special note, were weary of the distractions, and would heartily and confidently contribute to such an honourable and honest peace, as all men knew would be most acceptable to the king. And from hence they came reasonably to a conclusion, that if some means were found out to raise a confidence in those who wished well, that they should not be oppressed by the extravagant power of the desperate party; but that [if] they would so far assist one another, as to declare their opinions to be the same, they should be able to prevent or suppress those tumults, which seemed to countenance the distractions; and the houses would be induced to terms of moderation.

In this time the lord Conway, being returned from Ireland, incensed against the Scots, and discontented with the parliament here, finding Mr. Waller in good esteem with the earl of Northumberland, and of great friendship with the earl of Portland, he entered into the same familiarity; and, being more of a soldier, in the discourses administered questions, and considerations, necessary to be understood by men that either meant to use force, or to resist it; and wished "that they who

“ had interest and acquaintance in the city would endeavour by a mutual correspondence to inform themselves of the distinct affections of their neighbours, that, upon any exigent, men might foresee whom they might trust ;” and these discourses being again derived by Mr. Waller to Mr. Tomkins, he, upon occasion, and conference with his companions, insisted on the same arguments ; and they again conversing with their friends and acquaintance, (for of all this business, there were not above three who ever spoke together,) agreed, “ that some well affected persons, in every parish and ward about London, should make a list of all the inhabitants ; and thereupon to make a reasonable guess of their several affections,” (which at that time was no hard thing for observing men to do,) and thence a computation of the strength and power of that party, which was notoriously violent against any accommodation.

I am persuaded the utmost project in this design was (I speak not what particular men might intend, or wish upon their own fancies) to beget such a combination among the party well affected, that they would refuse to conform to those ordinances of the twentieth part, and other taxes for the support of the war ; and thereby, or by joint petitioning for peace, and discountenancing the other who petitioned against it, to prevail with the parliament to incline to a determination of the war. And it may be, some men might think of making advantage of any casual commotion, or preventing any mischief by it ; and thereupon that inquiry where the magazines lay, and discourse of wearing some distinguishing tokens, had been rather mentioned, than proposed. For it is certain, very many who were conscious to themselves of loyal purposes to the king, and of hearty dislike of the parliament’s proceedings, and observed the violent, revengeful, and ruining prosecution of all men, by those of the engaged party, were not without sad apprehensions that, upon some jealousy, and quarrel picked, even a general massacre might be attempted of all the king’s friends ; and thereupon, in several discourses, might touch upon such expedients, as might in those seasons be most beneficial to their safety. But that there was ever any formed design, either of letting in the king’s army into London, which was most impossible to be contrived, or of raising an army there, and surprising the parliament, or any one person of it, or of using any violence in or upon the city, I could never yet see cause to believe ; and if there had, they would have published such a relation of it, after Mr. Waller had confessed to them all he knew, had heard, or fancied to himself, as might have constituted some reasonable understanding of it ; and not [have] contented themselves with making conclusions from questions that had been asked, and answers made, by persons unknown, and forcing expressions used by one, to relate to actions of another, between whom there had been never the least acquaintance or correspondence ; and joining what was said at London to somewhat done at Oxford, at another time, and to another purpose : for, before I finish this discourse, it will be necessary to speak of another action, which, how distinct soever from this that is related, was woven together to make one plot.

From the king’s coming to Oxford, many citizens of good quality, who were prosecuted, or jealously looked upon in London, had resorted to the king,

and hoping, if the winter produced not a peace, that the summer would carry the king before that city with an army, they had entertained some discourse “ of raising, upon their own stocks of money “ and credit, some regiments of foot and horse, “ and joining with some gentlemen of Kent, who “ were likewise inclined to such an undertaking.” Among these was sir Nicholas Crisp, a citizen of good wealth, great trade, and an active spirited man, who had been lately prosecuted with great severity by the house of commons ; and had thereupon fled from London, for appearing too great a stickler in a petition for peace in the city. This gentleman industriously preserved a correspondence still there, by which he gave the king often very useful intelligence, and assured him “ of a “ very considerable party, which would appear “ there for him, whenever his own power should “ be so near, as to give them any countenance.” In the end, whether invited by his correspondents there, or trusting his own sprightly inclinations and resolutions too much, and concluding that all, who were equally honest, would be equally bold, he desired his majesty, “ to grant a commission to “ such persons, whom he would nominate, of the “ city of London, under the great seal of England, “ in the nature of a commission of array, by virtue “ whereof, when the season should come, his party “ there would appear in discipline and order ; and “ that this was desired by those, who best knew “ what countenance and authority was requisite ; “ and being trusted to them would not be executed “ at all, or else at such a time as his majesty should “ receive ample fruit by it ; provided it were done “ with secrecy, equal to the hazard they should run “ who were employed in it.”

The king had no exception to it but “ the improbability that it could do good, and that was “ the less because the failing could do no hurt but “ to the undertakers.” The promoter was a very popular man in the city, where he had been a commander of the trained bands, till the ordinance of the militia removed him ; which rather improved, than lessened, his credit ; and he was very confident, it would produce a notable advantage to the king : however, they desired it who were there, and would not appear without it ; and therefore the king consented to it ; referring the nomination of all persons to be named in the commission to him ; who, he verily believed, had proceeded by the instruction and advice of those who were nearest the concernment ; and for the secrecy of it, the king referred the preparing and despatch of the commission to sir Nicholas Crisp himself, who should acquaint no more with it than he found requisite ; so, without the privacy or advice of any counsellor, or minister of state, he procured such a commission as he desired (being no other than the commission of array in English) to be signed by the king, and sealed with the great seal.

This being done, and remaining still in his custody, the lady Aubigny, by a pass, and with the consent of the houses, came to Oxford to transact the affairs of her own fortune with the king upon the death of her husband, who was killed at Edgehill ; and she having in few days despatched her business there, and being ready to return, sir Nicholas Crisp came to the king, and besought him, “ to desire that lady ” (who had a pass, and so could promise herself safety in her journey) “ to carry a small box ” (in which that commission

should be) "with her, and to keep it in her own custody, until a gentleman should call to her ladyship for it, by such a token: that token," he said, "he could send to one of the persons trusted, who should keep it by him till the opportunity came, in which it might be executed." The king accordingly wished the lady Aubigny to carry it with great care and secrecy; telling her, "it much concerned his majesty's service;" and to deliver it in such manner, and upon such assurance, as is before mentioned: which she did, and, within few days after her return to London, delivered it to a person who was appointed to call for it. How this commission was discovered, I could never learn: for though Mr. Waller had the honour to be admitted often to that lady, and was believed by her to be a gentleman of most entire affections to the king's service, and consequently might be fitly trusted with what she knew, yet her ladyship herself, not knowing what it was she carried, could not inform any body else.

But about this time, a servant of Mr. Tomkins, who had often cursorily overheard his master and Mr. Waller discourse of the argument we are now upon, placed himself behind a hanging, at a time they were together; and there, whilst either of them discoursed the language and opinion of the company they kept, overheard enough to make him believe his information, and discovery, would make him welcome to those whom he thought concerned; and so went to Mr. Pym, and acquainted him with all he had heard, or probably imagined. The time when Mr. Pym was made acquainted with it is not known; but the circumstances of the publishing it were such, as filled all men with apprehensions. It was on Wednesday the thirty-first of May, their solemn fast-day, when, being all at their sermon, in St. Margaret's church in Westminster, according to their custom, a letter or message is brought privately to Mr. Pym; who thereupon, with some of the most active members, rise from their seats; and, after a little whispering together, remove out of the church: this could not but exceedingly affect those who stayed behind; immediately they sent guards to all the prisons, as Lambeth-house, Ely-house, and such places, where their malignants were in custody, with directions "to search the prisoners;" and some other places which they thought fit should be suspected. After the sermons were ended, the houses met; and were only told, "that letters were intercepted going to the king and the court at Oxford, that expressed some notable conspiracy in hand, to deliver up the parliament and the city into the hands of the cavaliers; and that the time for the execution of it drew very near." Hereupon a committee was appointed "to examine all persons they thought fit; and to apprehend some nominated at that time." And the same night, this committee apprehended Mr. Waller and Mr. Tomkins; and, the next day, such others as they thought fit.

Mr. Waller was so confounded with fear and apprehension, that he confessed whatever he had said, heard, thought, or seen; all that he knew of himself, and all that he suspected of others; without concealing any person of what degree or quality soever, or any discourse that he had ever, upon any occasion, entertained with them: what such and such ladies of great honour, to whom, upon the credit of his great parts, and very good reputa-

tion, he had been admitted, had spoke to him in their chambers of the proceedings of the houses; and how they had encouraged him to oppose them; what correspondence and intercourse they had with some ministers of state at Oxford; and how they derived all intelligence thither. He informed them, "that the earl of Portland and the lord Conway had been particular in all the agitations which had been with the citizens; and had given frequent advice and directions how they should demean themselves; and that the earl of Northumberland had expressed very good wishes to any attempt, that might give a stop to the violent actions and proceedings of the houses, and produce a good understanding with the king."

When the committee were thus furnished, they took the examinations of Mr. Tomkins, and such other as they thought necessary, and having at the same time, by some other means, discovered (or concealed it till this time) that commission which is before discoursed of, and gotten the very original into their hands, they kneaded both into one plot and conspiracy; and, acquainting the houses with so much as they thought yet seasonable to publish, they declared, (without naming any lords, or other persons, to be interested in the design, save those only who were imprisoned; among whom the lady Aubigny was one: and without communicating any of the examinations, which, they pretended, were not to be common till the conspirators were brought to trial,) "that the original of this conspiracy was from the late London petition for peace," which was spoken of about Christmas last in the book precedent; "and that, under pretence of peace and moderation, a party was to be formed, which should be able to suppress all opponents, and to awe the parliament: that, to this purpose, some of those who were the principal movers and fomenters of that petition, did continue, in the nature of a committee, still to carry on the design: that they held intelligence in both armies, court, and parliament; took a general survey of the numbers and affections of the several inhabitants throughout the wards and parishes of the city, and places adjacent; and distinguished all under the titles of men affected, or averse to the king; or indifferent, and neutral persons, carried only by the success and power of the prevailers: that they were well instructed in the number and inclinations of the trained bands of London; the places where the magazines were kept; where the commanders for the parliament dwelt; had thought of places for rendezvous, and retreat, upon any occasion, and of colours, and marks of distinction between the different parties.

"That Mr. Waller and Mr. Tomkins were the principal persons employed, and trusted to give advertisement to, and correspond with, the king's ministers at Oxford; and receive advertisements and commands from thence, for the completing the work; that they two held constant intelligence and intercourse with the lord Falkland, then principal secretary to the king; and that from him they received the signification of the king's pleasure; and that those directions, counsels, and encouragements had been principally sent by those messengers which had been employed by his majesty to the parliament, under the pretence of peace; and especially by Mr. [Alexander] Hambden; who came with the last



"message, and was a cousin-german to Mr. Waller. That the lady Aubigney, who had been lately at Oxford, had brought thence a commission to them from the king, by force of arms to destroy, kill, and slay the forces, raised by the parliament and their adherents, as traitors and rebels; and that they had lately sent a message to Oxford by one Hassel, a servant of the king's, to acquaint the lord Falkland, that the design was come to good perfection; unto which, answer was returned, that they should hasten it with all speed:

"That the particulars of the design appeared to be: 1. To seize into their custody the king's children. 2. To seize several members of both houses, the lord mayor, and committee of the militia, under pretence of bringing them to a legal trial. 3. To seize upon the outworks, forts, Tower of London, magazines, gates, and other places of importance in the city. 4. To let in the king's forces to surprise the city, and to destroy all those who should oppose them by authority of the parliament. 5. By force of arms to resist all payments imposed by authority of parliament, raised for the support of the armies employed for their just defence, &c. to suspend, if not alter, the whole government of the city, and, with assistance of the king's force, to awe and master the parliament."

When both houses were awakened, and startled with this report, the first thing agreed on was, "a day of thanksgiving to God for this wonderful delivery;" which shut out any future doubts, and disquisitions, whether there had been any such delivery; and, consequently, whether their plot was in truth, or had been so framed. Then it was said, "that as the design was the most desperate, so the carriage was the most subtle, and among persons of reputation, and not suspected; and that there was reason to suspect, many members of both houses were privy to it; and therefore there ought to be all possible care taken to make the discovery perfect, and to unite themselves for the public defence: that if any part were left undiscovered, it might prove fatal to the commonwealth." This finding a full consent, it was propounded, "that a protestation might be drawn up, by which every member of the two houses might purge himself from any guilt of, or privy in, that conspiracy; and likewise oblige himself to resist and oppose any such combination." They who were under the character of moderate men, and usually advanced all motions of peace and accommodation, durst not oppose the expedient, lest they should be concluded guilty; most of them having had familiarity with Mr. Waller, and, no doubt, upon sundry occasions, spoken with that freedom to him, as might very well incur a severe interpretation, if, upon this occasion, what they had said should be scanned. And so, before the rising, there was framed by the house of commons, a vow and covenant to be taken by the members of both houses, and afterwards by the city, and their army; for their jealousy was now spread over all their own quarters; which covenant, for the rareness of it both in title and style, I think necessary here to insert in the very terms; which were these:

*A sacred vow, and covenant, taken by the lords and commons assembled in parliament, upon the dis-*

*covery of the late horrid and treacherous design, for the destruction of this parliament and the kingdom: [the 6th of June, 1643.]*

"Whereas there hath been, and now is, in this kingdom, a popish and traitorous plot for the subversion of the true protestant reformed religion, and the liberty of the subject; and, in pursuance thereof, a popish army hath been raised, and is now on foot in divers parts of this kingdom; and whereas there hath been a treacherous and horrid design, lately discovered by the great blessing and especial providence of God, of divers persons, to join themselves with the armies raised by the king, and to destroy the forces raised by the lords and commons in parliament, to surprise the cities of London and Westminster, with the suburbs; by arms to force the parliament; and finding by constant experience, that many ways of force, and treachery, are continually attempted, to bring to utter ruin and destruction the parliament and kingdom; and that which is dearest, the true protestant religion: and that, for the preventing and withstanding the same, it is fit, that all, who are true hearted, and lovers of their country, should bind themselves each to other in a sacred vow and covenant:

"I A. B. in humility, and reverence of the Divine Majesty, declare my hearty sorrow for my own sins, and the sins of this nation, which have deserved the calamities and judgments that now lie upon it; and my true intention is, by God's grace, to endeavour the amendment of my own ways: and I do farther, in the presence of Almighty God, declare, vow, and covenant, that, in order to the security and preservation of the true reformed protestant religion, and liberty of the subject, I will not consent to the laying down of arms, so long as the papists, now in open war against the parliament, shall by force of arms be protected from the justice thereof: and that I do abhor and detest the said wicked and treacherous design, lately discovered: and that I never gave, nor will give, my assent to the execution thereof, but will, according to my power, and vocation, oppose and resist the same, and all other of the like nature. And in case any other like design shall hereafter come to my knowledge, I will make such timely discovery, as I shall conceive may best conduce to the preventing thereof. And whereas I do in my conscience believe, that the forces, raised by the two houses of parliament, are raised and continued for their just defence, and for the defence of the true protestant religion, and liberty of the subject, against the forces raised by the king; that I will, according to my power, and vocation, assist the forces raised and continued, by both houses of parliament, against the forces raised by the king without their consent: and will likewise assist all other persons that shall take this oath, in what they shall do in pursuance thereof; and will not directly, or indirectly, adhere unto, nor shall willingly assist the forces raised by the king, without the consent of both houses of parliament. And this vow, and covenant, I make in the presence of Almighty God, the Searcher of all hearts, with a true intention to perform the same, as I shall answer at the great day, when the secrets of all hearts shall be disclosed."

Though many were much startled at this covenant, and took time to consider of it, there being in the preamble, and positive part, much which very few believed, and in the promissory part a more direct denouncing war against the king, than had been in plain terms before avowed by them, and an absolute protestation against peace, till the king were at their mercy; yet the fear of being concluded guilty of the plot, made them swallow all the rest; and the example of one prevailing with many, there was not a member of either house that took it not: and being thus fettered and entangled themselves, they sent their committee into the city, to acquaint them with their "happy discovery, and how miraculously God had preserved them, and to engage them in the same sacred vow, and covenant;" which was readily submitted to; and, by the industry of their clergy, sooner than can be imagined, taken throughout that people. Then it was, with equal diligence and solemnity, transmitted to the army, that their fears of inconvenience from thence might be likewise purged; and thence it grew the mark of distinction, to know their friends and enemies by; and whosoever refused to take that covenant, needed no other charge to be concluded, and prosecuted, as the highest malignant.

Being this way secure from any future clamours for peace, they proceeded to try Mr. Tomkins; Mr. Chaloner, a citizen of good wealth and credit, and most intimate with Tomkins; Mr. Hambden, who brought the last message from the king; one Hassel, a messenger of the king's, who passed often between London and Oxford, and sometimes carried letters and messages to the lord Falkland; and some citizens, whose names were in the commission sent from Oxford; by a council of war; by whom Mr. Tomkins and Mr. Chaloner were condemned to be hanged; and were both, with all circumstances of severity and cruelty, executed: the one on a gibbet, by his own house in Holborn; where he had long lived with singular estimation; and the other, by his house in Cornhill, near the Old Exchange. Hassel the messenger saved them farther trouble, and died in prison the night before his trial: and there being no evidence against Mr. Hambden, but what Mr. Waller himself gave, they gave no judgment against him, but kept him long after in prison, till he died: neither proceeded they capitally against those citizens whose names were in the commission, it not appearing that their names were used with their consent and privity; though the brand of being malignants served the turn for their undoing; for all their estates were seized, as theirs were who had been executed.

And there is nothing clearer than that the commission sent from Oxford by the lady Aubigny, had not any relation to the discourses passed between Mr. Waller, Tomkins, and those citizens; or that they, who knew of one, had not any privity with the other: which if they had had, and intended such an insurrection, as was alleged, Mr. Waller, and Mr. Tomkins, or some one of those lords who were supposed to combine with them, would have been in the commission. Or if the king's ministers had been engaged in the consultation, and hoped to have raised a party which should suddenly seize upon the city and the parliament, they would never have thought a commission granted to some

gentlemen at Oxford, (for the major part of the commissioners were there,) and a few unknown private citizens, would have served for that work. I am very confident, and I have very much reason for that confidence, that there was no more known, or thought of at Oxford, concerning the matter of the commission, than I have before set forth; nor of the other, than that Mr. Tomkins sometimes writ to the lord Falkland, (for Mr. Waller, out of the cautiousness of his own nature, never writ word,) and by messengers signified to him, "that the number of those who desired peace, and abhorred the proceedings of the houses, was very considerable; and that they resolved, by refusing to contribute to the war, and to submit to their ordinances, to declare and manifest themselves in that manner, that the violent party in the city should not have credit enough to hinder any accommodation." And the lord Falkland always returned answer, "that they should expedite those expedients, as soon as might be, for that delays made the war more difficult to be restrained." And if I could find evidence, or reason, to induce me to believe, that there was any farther design in the thing itself, or that the king gave farther countenance to it, I should not at all conceal it; no man imagining, that if the king could have entertained any probable hope of reducing London, which was the foment, supporter, and indeed the life of the war; or could have found any expedient, from whence he could reasonably propose to dissolve, scatter, and disperse those who, under the name of a parliament, had kindled a war against him, but he would have given his utmost assistance and countenance thereunto, either by public force, or private contrivance.

There were very great endeavours used, to have proceeded with equal severity against the earl of Portland, and the lord Conway, (for the accusation of the earl of Northumberland, it was proceeded tenderly in; for though the violent party was heartily incensed against him, as a man weary of them, yet his reputation was still very great,) who were both close prisoners; and, to that purpose, their lordships and Mr. Waller were confronted before the committee; where they as peremptorily denying, as he charging them, and there being no other witness but he against them, the prosecution was rather let alone than declined, till after a long restraint they procured enlargement upon bail. Mr. Waller himself, (though confessedly the most guilty; and by his unhappy demeanour, in this time of his affliction, he had raised as many enemies as he had formerly friends, and almost the same,) after he had, with incredible dissimulation, acted such a remorse of conscience, as his trial was put off out of Christian compassion, till he might recover his understanding, (and that was not, till the heat and fury of the prosecutors was reasonably abated with the sacrifices they had made,) and, by drawing visitants to himself, of the most powerful ministers of all factions, had, by his liberality and penitence, his *preces* and his *lacrymæ*, his receiving vulgar and vile sayings from them with humility and reverence, as clearer convictions and informations than in his life he had ever had; and distributing great sums to them for their prayers and ghostly counsel; so satisfied them, that they satisfied others; was brought, at his suit, to the house of commons' bar; where (being a

man in truth very powerful in language ; and who, by what he spoke, and in the manner of speaking it, exceedingly captivated the good-will and benevolence of his hearers ; which is the highest part of an orator) with such flattery, as was most exactly calculated to that meridian, with such a submission, as their vulgar pride took delight in, and such dejection of mind, and spirit, as was like to cozen the major part, and be thought serious ; he laid before them " their own danger and concernment, if they should suffer one of their own body, how unworthy and monstrous soever, to be tried by the soldiers, who might thereby grow to that power hereafter, that they would both try those they would not be willing should be tried, and for things, which they would account no crimes ; the inconvenience and insupportable mischief whereof all wise commonwealths had foreseen, and prevented, by exempting their own members from all judgments but their own : " he prevailed, not to be tried by a council of war ; and thereby preserved his dear-bought life ; so that, in truth, he does as much owe the keeping his head to that oration, as Catiline did the loss of his to those of Tully : and by having done ill very well, he, by degrees, drew that respect to his parts, which always carries some compassion to the person, that he got them to compound for his transgressions, and to accept of ten thousand pounds (which their affairs wanted) for his liberty ; and so he had leave to recollect himself in another country (for his liberty was to be in banishment) how miserable he had made himself, to have leave to live out of his own. And there cannot be a greater evidence of the inestimable value of his parts, than that he lived, after this, in the good affection and esteem of many, the pity of most, and the reproach and scorn of none.

These high proceedings at London, and in the houses, were not seconded with any notable success abroad ; but it appeared plainly, by the slow coming in of monies, and more slow coming in of men, that the hearts of the people were generally more devoted to peace, than to the continuance of those distractions ; and the earl of Essex, by the great decay and sickness of his army, was not, in near six weeks, able to remove from Reading ; by which many men concluded, which could not be reasonably foreseen, that if Reading had held out many days longer, he would have been compelled to raise his siege ; and that was the reason the earl gave for granting so good conditions : for if he could have stayed longer before it, he well knew, they must have yielded on worse terms ; neither feared he the king would be able to relieve it. In the end, there being no other way to quiet the city of London, he marched towards Oxford ; but, in truth, rather to secure Buckinghamshire, which was now infested by the king's horse, than to disquiet that place. And, to that purpose, he fixed his head quarter at Thame, ten miles from Oxford, and upon the very edge of the other county.

In the beginning of the war, the army in Scotland having been lately disbanded, many officers of that nation, who had served in Germany and in France, betook themselves to the service of the parliament ; whereof many were men of good conduct and courage ; though there were more as bad as the cause in which they engaged. Of the former sort colonel Urry was a man of name and re-

putation, and an excellent officer of horse, and had commanded those horse at Edge-hill under Balfour, which had preserved their army there ; and finding himself afterwards not so well regarded, as, he thought, he had deserved, as it was no easy thing to value that people at the rate they did set upon themselves ; and being without any other affection for their service, than their pay inclined him to, he resolved to quit them, and to go to the king ; in order to which, he had kept some correspondence with the earl of Brainford, the king's general ; under whose command he had formerly served in Germany. Whilst the earl of Essex remained at Thame, and his army quartered thereabout, Urry came to Oxford, in the equipage that became a colonel of horse who had received good pay ; and the very next day after he came, having been very graciously received by the king, to give proof that he brought his whole heart with him, he went to prince Rupert, acquainted him where the parliament horse lay, and how loose they were in their quarters ; and, to give a testimony of his fidelity to the king, he desired to march a volunteer with a good party, to make an attempt upon the enemy ; and the prince assigning a strong party for the service, he accompanied, and conducted them out of the common road, till they came to a town ; where a regiment of the parliament's horse was quartered ; which they beat up, and killed or took most of the officers and soldiers ; and then fell upon those other quarters, by which they had passed before, with the like success ; so he returned to Oxford with many prisoners, and with notable damage to the enemy.

And as soon as he returned, he made another proposition to the prince for the attacking the quarters near Thame ; through which he had passed, when he came to Oxford, and so was well acquainted with the posture in which they were ; and assured the prince, " that, if he went about it " time enough, before there should be any alteration in their quarters, which he believed the " general would quickly make, the enterprise " would be worthy of it." And the prince was so well satisfied with what he had already done, that he resolved to conduct the next adventure himself, which he did very fortunately. They went out of the ports of Oxford in the evening upon a Saturday, and marched beyond all the quarters as far as Wickham, and fell in there at the farther end of the town towards London, from whence they expected no enemy, and so kept no guards there. A regiment of horse, and of foot, were lodged there ; which were cut off, or taken prisoners ; and all the horses and a good booty brought away. And from thence they marched backward to another quarter, within less than two miles of the general's own quarters ; where his men lodged with the same security they had done at Wickham, not expecting any enemy that way ; and so met with the same fate the others had done ; and were all killed, or made prisoners. And having performed at least as much as they had proposed to do, and being laden with prisoners and booty, and the sun being now rising, the prince thought it time to retire to Oxford, and so gave orders to march accordingly with all convenient speed, till they came to a bridge which was yet two miles from them, where he had appointed a guard to attend, to favour their retreat.

But the alarm had been brought to the earl of Essex from all the quarters, who quickly gathered those troops together, which were nearest; and directed those to follow the prince, and to entertain him in skirmishes, till himself should come up with the foot, and some other troops; which he made all possible haste to do. So that when the prince had almost passed a fair plain, or field, called Chalgrove field, from whence he was to enter a lane, which continued to the bridge; the enemy's horse were discovered marching after them with speed; and as they might easily overtake them in the lane, so they must as easily have put them into great disorder. Therefore the prince resolved to expect, and stand them upon the open field, though his horse were all tired, and the sun was grown very hot, it being about eight of the clock in the morning in [June]. And so he directed, "that the guard of the prisoners should make what haste they could to the bridge, but that all the rest should return;" for some were entered the lane: and so he placed himself and his troops, as he thought fit, in that field to receive the enemy; which made more haste, and with less order than they should have done; and being more in number than the prince, and consisting of many of the principal officers, who, having been present with the earl of Essex when the alarm came, stayed not for their own troops, but joined with those who were ready in the pursuit, as they thought, of a flying enemy, or such as would easily be arrested in their hasty retreat; and, having now overtaken them, meant to take revenge themselves for the damage they had received that night, and morning, before the general could come up to have a share in the victory, though his troops were even in view. But the prince entertained them so roughly, that though their fronts charged very bravely and obstinately, consisting of many of their best officers, of which many of the chiefest falling, the rest shewed less vigour, and in a short time they broke, and fled, and were pursued till they came near the earl of Essex's body; which being at near a mile's distance, and making a stand to receive their flying troops, and to be informed of their disaster, the prince with his troops hastened his retreat, and passed the lane, and came safe to the bridge before any of the earl's forces came up; who found it then to no purpose to go farther, there being a good guard of foot, which had likewise lined both sides of the hedges a good way in the lane. And so the prince, about noon, or shortly after, entered Oxford, with near two hundred prisoners, seven cornets of horse, and four ensigns of foot, with most of the men he carried from thence, some few excepted, who had been killed in the action, whereof some were of name.

And the prince presented colonel Urry to the king with a great testimony of the courage he had shewed in the action, as well as of his counsel and conduct in the whole; which was indeed very dexterous, and could have been performed by no man, who had not been very conversant with the nature and humour of those he destroyed. Upon which, the king honoured him with knighthood, and a regiment of horse as soon as it could be raised; and every body magnified and extolled him, as they usually do a man who hath good luck, and the more, because he was a Scotchman, and professed a repentance for having been in rebellion against the king. And he deserves this testimony,

and vindication to be given him, against the calumnies which were raised against him, "as if he had broken his trust, and deserted the service of the parliament, and betrayed them to the king," which is not true. He had owned and published his discontents long before, and demanded redress and justice in some particulars from the parliament, in which the earl of Essex thought he had reason; and wished he might receive satisfaction. But the man was in his nature proud and imperious; and had raised many enemies; and was besides of license, and committed many disorders of that kind; and had little other virtue than being a good officer in the field; regular and vigilant in marching, and in his quarters; which the parliament thought other men would attain to, who had fewer vices; and therefore granted nothing that he had desired; upon which he declared, "he would serve them no longer;" and delivered up his commission to the earl of Essex; and being then pressed to promise, that he would not serve the king, he positively refused to give any such engagement; and after he had stayed in London about a month, and had received encouragement from some friends in Oxford, he came thither in the manner set down before.

The prince's success in this last march was very seasonable, and raised the spirits at Oxford very much, and for some time allayed the jealousies and animosities, which too often broke out in several factions to the disquiet of the king. It was visibly great in the number of the prisoners; whereof many were of condition, and the names of many officers were known, who were left dead upon the field, as colonel Gunter, who was looked upon as the best officer of horse they had, and a man of known malice to the government of the church; which had drawn some severe censure upon him before the troubles, and for which he had still meditated revenge. And one of the prisoners who had been taken in the action said, "that he was confident Mr. Hambden was hurt, for he saw him ride off the field before the action was done, which he never used to do, and with his head hanging down, and resting his hands upon the neck of his horse;" by which he concluded he was hurt. But the news the next day made the victory much more important than it was thought to have been. There was full information brought of the great loss the enemy had sustained in their quarters, by which three or four regiments were utterly broken and lost: the names of many officers, of the best account, were known, who were either killed upon the place, or so hurt as there remained little hope of their recovery.

Among the prisoners, there were taken colonel Sheffield, a younger son of the earl of Mulgrave, and one colonel Beckly a Scotchman; who, being both visibly wounded, acted their hurts so well, and pretended to be so ready to expire, that, upon their paroles neither to endeavour nor endure a rescue, they were suffered to rest at a private house in the way, within a mile of the field, till their wounds should be dressed, and they recover so much strength as to be able to render themselves prisoners at Oxford. But the king's forces were no sooner gone, than they found means to send to their comrades, and were the next day strong enough, to suffer themselves to be removed to Thame, by a strong party sent from the earl of Essex; and, between denying that they had pro-

mised, and saying, that they would perform it, they never submitted themselves to be prisoners, as much against the law of arms, as their taking arms was against their allegiance. But that which would have been looked upon as a considerable recompence for a defeat, could not but be thought a glorious crown of a victory, which was the death of Mr. Hambden; who, being shot into the shoulder with a brace of bullets, which brake the bone, within three weeks after died with extraordinary pain; to as great a consternation of all that party, as if their whole army had been defeated, or cut off.

Many men observed (as upon signal turns of great affairs, as this was, such observations are frequently made) that the field in which the late skirmish was, and upon which Mr. Hambden received his death's wound, Chalgrave field, was the same place in which he had first executed the ordinance of the militia, and engaged that county, in which his reputation was very great, in this rebellion: and it was confessed by the prisoners that were taken that day, and acknowledged by all, that upon the alarm that morning, after their quarters were beaten up, he was exceedingly solicitous to draw forces together to pursue the enemy; and, being himself a colonel of foot, put himself among those horse as a volunteer, who were first ready; and that when the prince made a stand, all the officers were of opinion to stay till their body came up, and he alone (being second to none but the general himself in the observance and application of all men) persuaded, and prevailed with them to advance; so violently did his fate carry him, to pay the mulct in the place where he had committed the transgression, about a year before.

He was a gentleman of a good family in Buckinghamshire, and born to a fair fortune, and of a most civil and affable deportment. In his entrance into the world, he indulged to himself all the license in sports and exercises, and company, which was used by men of the most jolly conversation. Afterwards, he retired to a more reserved and melancholy society, yet preserving his own natural cheerfulness and vivacity, and above all, a flowing courtesy to all men; though they who conversed nearly with him, found him growing into a dislike of the ecclesiastical government of the church, yet most believed it rather a dislike of some churchmen, and of some introducements of theirs, which he apprehended might disquiet the public peace. He was rather of reputation in his own country, than of public discourse, or fame in the kingdom, before the business of ship-money: but then he grew the argument of all tongues, every man inquiring who and what he was, that durst, at his own charge, support the liberty and property of the kingdom, and rescue his country, as he thought, from being made a prey to the court. His carriage, throughout this agitation, was with that rare temper and modesty, that they who watched him narrowly to find some advantage against his person, to make him less resolute in his cause, were compelled to give him a just testimony. And the judgment that was given against him infinitely more advanced him, than the service for which it was given. When this parliament begun, (being returned knight of the shire for the county where he lived,) the eyes of all men were fixed on him, as their *patriæ pater*, and the pilot that must steer the vessel through the tempests

and rocks which threatened it. And I am persuaded, his power and interest, at that time, was greater to do good or hurt, than any man's in the kingdom, or than any man of his rank hath had in any time: for his reputation of honesty was universal, and his affections seemed so publicly guided, that no corrupt or private ends could bias them.

He was of that rare affability and temper in debate, and of that seeming humility and submission of judgment, as if he brought no opinion with him, but a desire of information and instruction; yet he had so subtle a way of interrogating, and, under the notion of doubts, insinuating his objections, that he left his opinions with those from whom he pretended to learn and receive them. And even with them who were able to preserve themselves from his infusions, and discerned those opinions to be fixed in him, with which they could not comply, he always left the character of an ingenious and conscientious person. He was indeed a very wise man, and of great parts, and possessed with the most absolute spirit of popularity, that is, the most absolute faculties to govern the people, of any man I ever knew. For the first year of the parliament, he seemed rather to moderate and soften the violent and distempered humours, than to inflame them. But wise and dispassioned men plainly discerned, that that moderation proceeded from prudence, and observation that the season was not ripe, rather than that he approved of the moderation; and that he begat many opinions and motions, the education whereof he committed to other men; so far disguising his own designs, that he seemed seldom to wish more than was concluded; and in many gross conclusions, which would hereafter contribute to designs not yet set on foot, when he found them sufficiently backed by majority of voices, he would withdraw himself before the question, that he might seem not to consent to so much visible unreasonableness; which produced as great a doubt in some, as it did approbation in others, of his integrity. What combination soever had been originally with the Scots for the invasion of England, and what farther was entered into afterwards in favour of them, and to advance any alteration [of the government] in parliament, no man doubts was at least with the privity of this gentleman.

After he was among those members accused by the king of high treason, he was much altered; his nature and carriage seeming much fiercer than it did before. And without question, when he first drew his sword, he threw away the scabbard; for he passionately opposed the overture made by the king for a treaty from Nottingham, and as eminently, any expedients that might have produced any accommodations in this that was at Oxford; and was principally relied on, to prevent any infusions which might be made into the earl of Essex towards peace, or to render them ineffectual, if they were made; and was indeed much more relied on by that party, than the general himself. In the first entrance into the troubles, he undertook the command of a regiment of foot, and performed the duty of a colonel, on all occasions, most punctually. He was very temperate in diet, and a supreme governor over all his passions and affections, and had thereby a great power over other men's. He was of an industry and vigilance not to be tired out, or wearied by the most laborious; and of parts not to be imposed upon by the most subtle or sharp;

and of a personal courage equal to his best parts ; so that he was an enemy not to be wished wherever he might have been made a friend ; and as much to be apprehended where he was so, as any man could deserve to be. And therefore his death was no less congratulated on the one party, than it was condoled in the other. In a word, what was said of Cinna might well be applied to him ; " he had " a head to contrive, and a tongue to persuade, " and a hand to execute, any mischief." His death therefore seemed to be a great deliverance to the nation.

The earl of Essex's army was so weakened by these defeats, and more by the sickness that had wasted it, that it was not thought safe to remain longer so near his unquiet and restless enemies. The factions and animosities at London required his presence there ; and he thought the army would be sooner recruited there, than at so great a distance ; so that he marched directly from Thame to London, where he found jealousy and contention enough ; leaving his army quartered about St. Alban's. Whilst the affairs of the parliament were in this distraction, the king's recovered great reputation ; and the season of the year being fit for action, all discontents and factious murmurings were adjourned to the next winter.

The end of the treaty, in which we left the chief commanders of the Cornish forces, with commissioners of the other western counties, was like that in other places ; for notwithstanding those extraordinary obligations of oaths, and receiving the sacrament, circumstances in no other treaty, the parliament no sooner sent their votes and declarations to them, (the same which are before mentioned upon the treaties in Yorkshire and Cheshire,) and some members of their own to overlook and perplex them, but all peaceable inclinations were laid aside ; so that (having in the mean time industriously levied money, throughout Somerset and Devon, upon friends and enemies ; and a good body of men) the night before the expiration of the treaty and cessation, James Chudleigh, the major general of the rebels, brought a strong party of horse and foot within two miles of Launceston, the head quarter of the Cornish, and the very next morning, the cessation not being determined till after twelve of the clock in the night, marched upon the town, where they were not sufficiently provided for them. For though the commanders of the Cornish had employed their time, as usefully as they could, during the cessation, in preparing the gentry of that country, and all the inhabitants, to submit to a weekly tax for the support of that power, which defended them ; over and above which, the gentlemen, and persons of quality, freely brought in all their plate to be disposed of to the public ; and though they foresaw, after the committee of parliament came into the country, that the treaty would conclude without fruit, and therefore sir Ralph Hopton and sir Bevil Greenvil repaired to Launceston the day before the expiration of the treaty, to meet any attempt should be made upon them : yet, being to feed and pay their small forces out of one small county, they had been compelled to quarter their men at a great distance, that no one part might be more oppressed than was necessary : so that all that was done the first day was, by the advantage of passes, and lining of hedges, to keep the enemy in action, till the other forces came up ; which they season-

ably did towards the evening ; and then the enemy, who received good loss in that day's action, grew so heartless, that in the night they retired to Okington, fifteen miles from the place of their skirmish. After which many small skirmishes ensued, for many days, with various success ; sometimes the Cornish advancing in Devon, and then retiring again ; for it appeared now, that a formed army was marching against them, so far superior in number, that there was no reasonable hope of resistance.

Towards the middle of May, the earl of Stamford marched into Cornwall, by the north part, with a body of fourteen hundred horse and dragoons, and five thousand four hundred foot by the poll, with a train of thirteen brass ordnance, and a mortar-piece, and a very plentiful magazine of victual and ammunition, and every way in as good an equipage, as could be provided by men who wanted no money ; whilst the king's small forces, being not half the number, and unsupplied with every useful thing, were at Launceston ; of whom the enemy had so full a contempt, though they knew they were marching to them, within six or seven miles, that they considered only how to take them after they were dispersed, and to prevent their running into Pendennis castle, to give them farther trouble. To which purpose having encamped themselves upon the flat top of a very high hill, to which the ascents were very steep every way, near Stratton, being the only part of Cornwall eminently disaffected to the king's service, they sent a party of twelve hundred horse and dragoons, under the command of sir George Chudleigh, father to their major general, to Bodmin, to surprise the high sheriff and principal gentlemen of the country ; and thereby, not only to prevent the coming up of any more strength to the king's party, but, under the awe of such a power of horse, to make [the whole country rise for them. This design, which was not in itself unreasonable, proved fortunate to the king. For his forces which marched from Launceston, with a resolution to fight with the enemy, upon any disadvantage of place or number, (which, how hazardous soever, carried less danger with it, than retiring into the county, or any thing else that was in their power,) easily now resolved to assault the camp in the absence of their horse ; and, with this resolution, they marched on Monday, the fifteenth of May, within a mile of the enemy ; being so destitute of all provisions, that the best officer had but a biscuit a man a day, for two days, the enemy looking upon them as their own.

On Tuesday the sixteenth of May, about five of the clock in the morning, they disposed themselves to their work ; having stood in their arms all the night. The number of foot was about two thousand four hundred, which they divided into four parts, and agreed on their several provinces. The first was commanded by the lord Mohun and sir Ralph Hopton ; who undertook to assault the camp on the south side. Next them, on the left hand, sir John Berkley and sir Bevil Greenvil were to force their way. Sir Nicholas Slanning and colonel Trevannion were to assault the north side ; and, on the left hand, colonel Thomas Basset, who was major general of their foot, and colonel William Godolphin were to advance with their party ; each party having two pieces of cannon to dispose as they found necessary : colonel John Digby com-

manding the horse and dragoons, being about five hundred, stood upon a sandy common which had a way to the camp, to take any advantage he could on the enemy, if they charged; otherwise, to be firm as a reserve.

In this manner the fight began; the king's forces pressing, with their utmost vigour, those four ways up the hill, and the enemy's as obstinately defending their ground. The fight continued with very doubtful success, till towards three of the clock in the afternoon; when word was brought to the chief officers of the Cornish, that their ammunition was spent to less than four barrels of powder; which (concealing the defect from the soldiers) they resolved could be only supplied with courage: and therefore, by messengers to one another, they agreed to advance with their full bodies, without making any more shot, till they reached the top of the hill, and so might be upon even ground with the enemy; wherein the officer's courage, and resolution, was so well seconded by the soldier, that they began to get ground in all places; and the enemy, in wonder of the men, who outfaced their shot with their swords, to quit their post. Major general Chudleigh, who ordered the battle, failed in no part of a soldier; and when he saw his men recoil from less numbers, and the enemy in all places gaining the hill upon him, himself advanced, with a good stand of pikes, upon that party which was led by sir John Berkley and sir Bevil Greenvil; and charged them so smartly, that he put them into disorder; sir Bevil Greenvil, in the shock, being borne to the ground, but quickly relieved by his companion; they so reinforced the charge, that having killed most of the assailants, and dispersed the rest, they took the major general prisoner, after he had behaved himself with as much courage, as a man could do. Then the enemy gave ground apace, insomuch as the four parties, growing nearer and nearer as they ascended the hill, between three and four of the clock they all met together upon one ground near the top of the hill; where they embraced with unspeakable joy, each congratulating the other's success, and all acknowledging the wonderful blessing of God; and being there possessed of some of the enemy's cannon, they turned them upon the camp, and advanced together to perfect the victory. But the enemy no sooner understood the loss of their major general, but their hearts failed them; and being so resolutely pressed, and their ground lost, upon the security and advantage whereof they wholly depended, some of them threw down their arms, and others fled; dispersing themselves, and every man shifting for himself: their general, the earl of Stamford, giving the example, who, (having stood at a safe distance all the time of the battle, environed with all the horse, which in small parties, though it is true their whole number was not above six or seven score, might have done great mischief to the several parties of foot, who with so much difficulty scaled the steep hill,) as soon as he saw the day lost, and some said sooner, made all imaginable haste to Exeter, to prepare them for the condition they were shortly to expect.

The conquerors, as soon as they had gained the camp, and dispersed the enemy, and after public prayers upon the place, and a solemn thanksgiving to Almighty God for their deliverance and victory, sent a small party of horse to pursue the enemy for a mile or two; not thinking fit to pursue farther,

or with their whole body of horse, lest sir George should return from Bodmin with his strong body of horse and dragoons, and find them in disorder; but contenting themselves with the victory they had obtained upon the place, which, in substance as well as circumstance, was as signal a one as hath happened to either party since the unhappy distraction; for on the king's party were not lost in all above fourscore men; whereof few were officers, and none above the degree of a captain; and though many more were hurt, not above ten men died afterwards of their wounds. On the parliament side, notwithstanding their advantage of ground, and that the other were the assailants, above three hundred were slain on the place, and seventeen hundred taken prisoners, with their major general, and above thirty other officers. They took likewise all their baggage and tents, all their cannon, being, as was said before, thirteen pieces of brass ordnance, and a brass mortar piece; all their ammunition, being seventy barrels of powder, and all other sorts of ammunition proportionable, and a very great magazine of biscuit, and other excellent provisions of victuals; which was as seasonable a blessing as the victory, to those who, for three or four days before, had suffered great want of food as well as sleep, and were equally tired with duty and hunger. The army rested that night and the next day at Stratton; all care being taken by express messengers, to disperse the news of their success to all parts of that country, and to guard the passes upon the river Tamar, whereby to hinder the return of the enemy's horse and dragoons. But sir George Chudleigh had no sooner, with great triumph, dispersed the high sheriff, and gentlemen, who intended to have called the *posse comitatus*, according to their good custom, for the assistance of the king's party, and with little resistance entered Bodmin, but he received the fatal news of the loss of their camp and army at Stratton. Upon which, with as much haste and disorder, as so great a consternation could produce among a people not acquainted with the accidents of war, leaving many of his men and horses a prey to the country people, himself, with as many as he could get, and keep together, got into Plymouth; and thence, without interruption or hazard, into Exeter.

The earl of Stamford, to make his own conduct and misfortune the less censured, industriously spread abroad in all places, and confidently sent the same information to the parliament, "that he had been betrayed by James Chudleigh; and that, in the heat of the battle, when the hope of the day stood fair, he had voluntarily, with a party, run over to the enemy, and immediately charged the parliament forces; which begot in all men a general apprehension of treachery, the soldiers fearing their officers", and the officers "their soldiers' revolt; and thereupon the rout ensued." Whereas the truth is, as he was a young man of excellent parts and courage, he performed the part of a right good commander, both in his orders and his person; and was taken prisoner in the body of his enemy, whither he had charged with undaunted courage, when there was no other expedient in reason left. But this scandal so without colour cast on him, and entertained with more credit than his services had merited, (for, from the time of his engagement to the parliament, he had served not only with full ability,



but with notable success, and was the only man that had given any interruption to the prosperity of the Cornish army, and in a night-skirmish, at Bradock Down near Okington, struck a great terror into them, and disordered them more than they were at any other time,) wrought so far upon the young man, together with the kind usage and reception he found as a prisoner among the chief officers, who loved him as a gallant enemy, and one like to do the king good service if he were recovered to his loyalty, that after he had been prisoner about ten days, he freely declared, "that he was convinced in his conscience and judgment of the errors he had committed;" and, upon promise made to him of the king's pardon, frankly offered to join with them in his service; and so gave some countenance to the reproach that was first most injuriously cast on him.

The truth is, he was of too good an understanding, and too much generosity in his nature, to be affected to the cause which he served, or to comply with those arts, which he saw practised to carry it on; and having a command in Ireland when the war first broke out, he came thence into England, with a purpose to serve the king; and to that purpose, shortly after his majesty's coming to Oxford, he came thither to tender his service: but he found the eyes of most men fixed on him with prejudice and jealousy there, both for his family's sake, which was notoriously disaffected to the king, and for some errors of his own, in that plot, that was so much spoken of, to bring up the northern army to awe the parliament; in which business, being then a very young man, and of a stirring spirit, and desirous of a name, he had expressed much zeal to the king's service, and been busy in inclining the army to engage in such petitions and undertakings, as were not gracious to the parliament. But when that discovery was made by Mr. Goring, as is before remembered, and a committee appointed to examine the combination, this gentleman, wrought upon by hopes, or fears, in his examination, said much that was disadvantageous to the court, and therefore, bringing no other testimony with him to Oxford, but of his own conscience, he received nothing like countenance there; whereupon he returned to London, sufficiently incensed that he was neglected; and was quickly entertained for their western employment, where his nearest friends were thoroughly engaged. But after this defeat, his former passion being allayed, and his observation and experience convincing him, that the designs of the parliament were not such as were pretended, he resigned himself to those who first conquered him with force, and then with reason and civility; and, no doubt, was much wrought upon by the discipline and integrity of the forces, by whom he had been subdued; and with the piety, temper, and sobriety of the chief commanders, which indeed was most exemplary, and worthy the cause for which they were engaged; the reputation and confession whereof had alone carried them through the difficulties and straits, with which they were to contend.

The army, willing to relieve their friends of Cornwall, from the burden which they sustained so patiently, hastened their march into Devonshire, not thoroughly resolved whether to attack Plymouth, or Exeter, or both; when advertisement came to them, by an express from Oxford, "that the king had sent prince Maurice, and the marquis of

Hertford, with a very good body of horse, to join with them; and that they were advanced towards them as far as Somersetshire; and that sir William Waller was designed by the parliament, to visit the west, with a new army, which would receive a good recruit from those who escaped from the battle of Stratton;" so that it was necessary for all the king's forces in those parts to be united in a body, as soon as might be: hereupon it was quickly resolved to leave such a party at Saltash and Milbrook, as might defend faithful Cornwall from any incursions of Plymouth, and with their army to march eastward; their number increasing daily upon the reputation of their new wonderful victory; many volunteers coming to them out of Devonshire, and very many of their prisoners professing, they had been seduced, and freely offering to serve the king against those who had wronged both; who, being entertained under some of their own converted officers, behaved themselves afterwards with great honesty and courage. And so making no longer stay by the way, than was necessary for the refreshing of their troops, the Cornish army, for that was the style it now carried, marched by Exeter, where the earl of Stamford, with a sufficient garrison, then was; and staying only two or three days to fix small garrisons, whereby that town, full of fear and apprehension, might be kept from having too great an influence upon so populous a county, advanced to Tiverton, where a regiment of foot of the parliament, under colonel Ware, a gentleman of that country, had fixed themselves; hoping sir William Waller would be as soon with them for their relief, as the Cornish would be to force them; which [regiment] being easily dispersed, they stayed there to expect new orders from the marquis of Hertford.

When the loss of Reading was well digested, and the king understood the declining condition of the earl of Essex's army, and that he would either not be able to advance, or not in such a manner, as would give him much trouble at Oxford; and hearing in what prosperous state his hopeful party in Cornwall stood, whither the parliament was making all haste to send sir William Waller, to check their good success; his majesty resolved to send the marquis of Hertford into those parts, the rather because there were many of the prime gentlemen of Wiltshire, Dorsetshire, and Somersetshire, who confidently undertook, if the marquis went through those counties, with such a strength as they supposed the king would spare to him, they would in a very short time raise so considerable a power, as to oppose any force the parliament should be able to send. When the marquis was ready for his journey, news arrived of the great victory at Stratton; so that there was no danger of the marquis's being able to join with that little Cornish army; and then there appeared indeed a visible body worthy the name of an army. This put some persons upon desiring, that prince Maurice (who was yet in no other quality of command, than of a private colonel of horse, but had always behaved himself with great courage and vigilance) might be likewise disposed into a command of that army. Hereupon the king assigned him, and his highness willingly accepted to be lieutenant general under the marquis; who for many reasons, besides that he was actually possessed of it, was thought only fit to have the



superior power over those western counties, where his fortune lay, and the estimation and reverence of the people to him was very notorious. So the prince and the marquis, with prince Maurice's, and the earl of Carnarvon's, and colonel Thomas Howard's regiments of horse (the earl being general of the cavalry) advanced into the west; and staying only some few days at Salisbury, and after in Dorsetshire, whilst some new regiments of horse and foot, which were levying by the gentlemen in those parts, came up to them, made all convenient haste into Somersetshire, being desirous to join with the Cornish as soon as might be; presuming they should be then best able to perfect their new levies, when they were out of apprehension of being disturbed by a more powerful force. For sir William Waller was already marched out of London, and used not to stay longer by the way than was unavoidably necessary.

In the marquis's first entrance into the west, he had an unspeakable loss, and the king's service a far greater, by the death of Mr. Rogers, a gentleman of a rare temper, and excellent understanding; who, besides that he had a great interest in the marquis, being his cousin-german, and so, out of that private relation, as well as zeal to the public, passionately inclined to advance the service, had a wonderful great influence upon the county of Dorset, for which he served as one of the knights in parliament; and had so well designed all things there, that Poole and Lyme, (two port towns in that county, which gave the king afterwards much trouble,) if he had lived, had been undoubtedly reduced. But by his death all those hopes were cancelled, the surviving gentry of that shire being, how well affected soever, so unactive, that the progress, that was that year made there to the king's advantage, owed little to their assistance.

About the middle of June, prince Maurice, and the marquis, with sixteen or seventeen hundred horse, and about one thousand new levied foot, and seven or eight field-pieces, came to Chard, a fair town in Somersetshire, nearest the edge of Devonshire; where, according to order, they were met by the Cornish army; which consisted of above three thousand excellent foot, five hundred horse, and three hundred dragoons, with four or five field-pieces; so that, officers and all, being joined, they might well pass for an army of seven thousand men; with an excellent train of artillery, and a very fair proportion of ammunition of all sorts, and so good a reputation, that they might well promise themselves a quick increase of their numbers. Yet if the extraordinary temper and virtue of the chief officers of the Cornish had not been much superior to that of their common soldiers, who valued themselves high, as the men whose courage had alone vindicated the king's cause in the west, there might have been greater disorder at their first joining, than could easily have been composed. For how small soever the marquis's party was in numbers, it was supplied with all the general officers of a royal army, a general, lieutenant general, general of the horse, general of the ordnance, a major general of horse, and another of foot, without keeping suitable commands for those who had done all that was past, and were to be principally relied on for what was to come. So that the chief officers of the

Cornish army, by joining with a much less party than themselves, were at best in the condition of private colonels. Yet the same public thoughts still so absolutely prevailed with them, that they quieted all murmurings and emulations among inferior officers, and common soldiers; and were, with equal candour and estimation, valued by the prince and marquis, who bethought themselves of all expedients, which might prevent any misunderstanding.

Taunton was the first place they resolved to visit, being the fairest, largest, and richest town in Somersetshire; but withal as eminently affected to the parliament, where they had now a garrison; but they had not yet the same courage they recovered afterwards: for the army was no sooner drawn near the town, the head quarters being at Orchard, a house of the Portmans, two miles from the town, but the town sent two of their substantial inhabitants to treat; which, though nothing was concluded, struck that terror into the garrison, (the prisoners in the castle, whereof many were men of good fortunes, imprisoned there as malignants, at the same time raising some commotion there,) that the garrison fled out of the town to Bridgewater, being a less town, but of a much stronger situation; and, with the same panic fear, the next day, from thence; so that the marquis was possessed, in three days, of Taunton, Bridgewater, and Dunstar castle, so much stronger than both the other, that it could not have been forced; yet by the dexterity of Francis Windham, who wrought upon the fears of the owner and master of it, Mr. Lutterel, was, with as little bloodshed as the other, delivered up to the king; into which the marquis put him, that took it, as governor; as he well deserved.

The government of Taunton he committed to sir John Stawell, a gentleman of a very great estate in those parts; and who, from the beginning, had heartily and personally engaged himself and his children for the king; and was in the first form of those who had made themselves obnoxious to the parliament. The other government, of Bridgewater, was conferred upon Edmund Windham, high sheriff of the county, being a gentleman of a fortune near the place, and of good personal courage, and unquestionable affection to the cause. The army stayed about Taunton seven or eight days, for the settling those garrisons, and to receive advertisements of the motion or station of the enemy; in which time they lost much of the credit and reputation they had with the country. For whereas the chief commanders of the Cornish army had restrained their soldiers from all manner of license, obliging them to solemn and frequent actions of devotion, insomuch as the fame of their religion and discipline was no less than of their courage, and thereupon sir Ralph Hopton (who was generally considered as the general of that army, though it was governed by such a commission as is before remembered) was greedily expected in his own country, where his reputation was second to no man's; the horse, that came now with the marquis, having lived under a looser discipline, and coming now into plentiful quarters, unvisited by an army, and yielding some excuse to this by the eminency of their disaffection, were disorderly enough to give the enemy credit in laying more to their charge than they deserved; and by their license hindered those orderly levies,

which should have brought in a supply of money, for the regular payment of the army. And this extravagancy produced another mischief, some jealousy, or shadow of it, between the lord marquis and prince Maurice; the first, as being better versed in the policy of peace, than in the mysteries of war, desiring to regulate the soldier, and to restrain him from using any license upon the country; and the prince being thought so wholly to incline to the soldier, that he neglected any consideration of the country, and not without some design of drawing the sole dependence of the soldier upon himself. But here were the seeds rather sown of dislike, than any visible disinclination produced; for after they had settled the garrisons before mentioned, they advanced, with unity and alacrity, eastward, to find out the enemy, which was gathered together in a considerable body, within less than twenty miles of them.

Whilst so much time was spent at Oxford, to prepare the supplies for the west, and in settling the manner of sending them; which might have been done much sooner, and with less noise; the parliament foresaw, that if all the west were recovered from them, their quarters would by degrees be so straitened, that their other friends would quickly grow weary of them. They had still all the western ports at their devotion, those in Cornwall only excepted; and their fleets had always great benefit by it. And though most of the gentry were engaged against them, as they were in truth throughout the kingdom, yet the common people, especially in the clothing parts of Somersetshire, were generally too much inclined to them. So that they could not want men, if they sent a body of horse, and some arms, to countenance them; with the last of which they had stored the sea-towns, which were in their hands, sufficiently. And therefore they resolved, that, though they could not easily recruit their army, they would send some troops of horse, and dragoons, into the west, to keep up the spirits of their friends there. And for the conduct of this service, they made choice of sir William Waller, a member of the house of commons, and a gentleman of a family in Kent.

Sir William Waller had been well bred; [and,] having spent some years abroad, and some time in the armies there, returned with a good reputation home; and shortly after, having married a young lady, who was to inherit a good fortune in the west, he had a quarrel with a gentleman of the same family, who had the honour to be a menial servant to the king in a place near his person; which, in that time, was attended with privilege and respect from all men. These two gentlemen discoursing with some warmth together, sir William Waller received such provocation from the other, that he struck him a blow over the face, so near the gate of Westminster-hall, that he got witnesses to swear "that it was in the hall itself," the courts being then sitting; which, according to the rigour of law, makes it very penal; and the credit the other had in the court made the prosecution to be very severe; inasmuch as he was at last compelled to redeem himself at a dear ransom; the benefit whereof was conferred on his adversary, which made the sense of it the more grievous: and this produced in him so eager a spirit against the court, that he was very open to any temptation, that might engage him against it; and so con-

curring in the house of commons with all those counsels which were most violent, he was employed in their first military action, for the reducing of Portsmouth; which he effected with great ease, as is remembered before: and when the earl of Essex had put the army into winter quarters, he had with some troops made a cavalcade or two into the west, so fortunately, that he had not only beat up some loose quarters, but had surprised a fixed and fortified quarter, made by the lord Herbert of Ragland near Gloucester; in which he took above twelve hundred prisoners, with all the officers; being a number very little inferior to his own party; which is likewise particularly remembered before. So that he got great reputation with the parliament and the city; and was called William the Conqueror. And it is very true, that they who looked upon the earl of Essex as a man that would not keep them company to the end of their journey, had their eyes upon sir William Waller, as a man more for their turn; and were desirous to extol him the more, that he might eclipse the other. And therefore they prepared all things for his march with so great expedition and secrecy, that the marquis of Hertford was no sooner joined to the Cornish troops, (in which time Bridgewater, and Dunstar, and some other places, were reduced from the parliament,) before he was informed that sir William Waller was within two days' march of him, and was more like to draw supplies to him from Bristol, and the parts adjacent, which were all under the parliament, than the marquis could from the open country; and therefore it was held most counsellable to advance, and engage him, whilst he was not yet too strong; and by this means they should continue still their march towards Oxford; which they were now inclined to do.

Though sir William Waller himself continued still at Bath, yet the remainder of those horse and dragoons that escaped out of Cornwall, after the battle of Stratton, and such other as were sent out of Exeter for their ease, when they apprehended a siege, and those soldiers who fled out of Taunton and Bridgewater, and other regiments of the country, were by Alexander Popham, Strode, and the other deputy lieutenants of the militia for Somerset, rallied; and with the trained bands, and volunteer regiments of the country, drawn together, with that confidence, that when the marquis had taken up his head quarters at Somerton, the enemy, before break of day, fell upon a regiment of dragoons, quartered a mile eastward from the town; and gave so brisk an alarm to the king's army, that it was immediately drawn out, and advanced upon the enemy, (being the first they had seen make any stand before them, since the battle of Stratton,) who making stands upon the places of advantage, and maintaining little skirmishes in the rear, retired in no ill order to Wells; and the king's forces still pursuing, they chose to quit that city likewise; and drew their whole body, appearing in number as considerable as their pursuers, to the top of a hill, called Mendip Hill, overlooking the city of Wells, which they had left. The day being far spent, and the march having been long, the marquis, with all the foot, and train, stayed at Wells; but prince Maurice, and the earl of Carnarvon, with sir Ralph Hopton, and sir John Berkley, and two regiments of horse, resolved to look upon the enemy on the top of the hill; who suffered them,

without interruption, to gain the top of the hill, level with them, and then, in a very orderly manner, facing with a large front of their horse, to give their foot and baggage leisure and security, retired together as the prince advanced. This and the natural contempt the king's horse yet had of the enemy, which in all skirmishes and charges had been hitherto beaten by them, made the prince judge this to be but a more graceful running away; and therefore followed them over those large hills farther than before; till the enemy, who were anon to pass through a lane, and a village called Chewton, were compelled, before their entrance into the lane, to leave their reserve; which faced about much thinner than it was over the hill: which opportunity and advantage was no sooner discerned, as it had been foreseen, but the earl of Carnarvon (who always charged home) with incomparable gallantry charged the enemy, and pressed them so hard, that he entered the lane with them, and routed the whole body of their horse, and followed the execution of them above two miles.

But this was like to have been a dear success; for sir William Waller, who lay with his new army at Bath, and had drawn to him a good supply out of the garrison at Bristol, had directed this body which was in Somerset, to retire before the king's forces till they should join with him, who had sent a fresh, strong party of horse and dragoons, to assist their retreat; which, by the advantage of a fog, had marched without being discovered: so that the earl of Carnarvon, being a stranger in the country and the ways, pursued the flying enemy into sir William Waller's quarters, and till himself was pressed by a fresh body of horse and dragoons; when he was necessitated to retire in as good order as he could; and sent the prince, who followed him, word of the danger which attended them. His highness hereupon, with what haste he could, drew back through the village; choosing rather, with very good reason, to attend the enemy in the plain heath, than to be engaged in a narrow passage: thither the earl of Carnarvon with his regiment came to him, broken and chased by the enemy; who immediately drew up a large front of horse and dragoons, much stronger than the prince's party, who had only his own, and the earl of Carnarvon's regiments, with some gentlemen volunteers. The strait, and necessity he was in, was very great; for as he might seem much too weak to charge them, so the danger might probably be much greater to retire over these fair hills, being pursued with a fresh party much superior in number. Therefore he took a gallant resolution, to give the enemy a brisk charge with his own regiment upon their advance, whilst the earl rallied his, and prepared to second him, as there should be occasion. This was as soon and fortunately executed as resolved; the prince in the head of his regiment charging so vigorously, that he utterly broke and routed that part of the front that received the impression. But almost half the enemy's horse, that, being extended larger than his front, were not charged, wheeled about, and charged the prince in the rear; and at the same time the earl of Carnarvon, with his rallied regiment, charged their rear; and all this so thoroughly performed, that they were mingled pallmall one among the other, and the good sword [was] to decide the controversy, their pistols being spent in

the close. The prince himself received two shrewd hurts in his head, and was beaten off his horse; but he was presently relieved, and carried off; and the enemy totally routed, and pursued again by the earl of Carnarvon; who had a fair execution upon them, as long as the light countenanced his chase, and then he returned to the head quarters at Wells; there having been in these skirmishes threescore or fourscore men lost on the prince's party, and three times that number by the enemy; the action being too quick to take many prisoners.

At Wells the army rested many days, as well to recover the prince's wounds, being only cuts with swords, as to consult what was next to be done; for they were now within distance of an enemy that they knew would fight with them. For sir William Waller was at Bath with his whole army, much increased by those who were chased out of the west; and resolved not to advance, having all advantages of provisions, and passes, till a new supply, he every day expected from London, were arrived with him. On the other side, the marquis was not only to provide to meet with so vigilant an enemy, but to secure himself at his rear, that the disaffection of the people behind him, who were only subdued, not converted, upon the advance of sir William Waller, might not take fresh courage. Though Cornwall was reasonably secured, to keep off any impression upon itself from Plymouth, yet Devonshire was left in a very unsafe posture: there being only a small party at Columb-John, a house of sir John Ackland's, three miles off Exeter, to control the power of that city, where the earl of Stamford was; and to dispute not only with any commotion that might happen in the country, but with any power that might arrive by sea. Upon these considerations, and the intelligence, that the parliament had sent directions to the earl of Warwick their admiral, "to attend the Devonshire coast with his fleet, and take any advantage he could," the marquis, by the advice of the council of war, sent sir John Berkley back into Devonshire, with colonel Howard's regiment of horse, to command the forces which were then there, and to raise what numbers more he could possibly, for the blocking up that city, and reducing the county; and upon his arrival there, to send up to the army sir James Hamilton's regiment of horse and dragoons; which had been left in Devonshire; and, by the license they took, weakened the king's party; so that, by sending this relief thither, he did not lessen at all his own numbers, yet gave great strength to the reducing those parts, as appeared afterwards by the success.

After this disposition, and eight or ten days' rest at Wells, the army generally expressing a handsome impatience to meet with the enemy, of which, at that time, they had a greater contempt, than in reason they should have; the prince and marquis advanced to Frome, and thence to Bradford, within four miles of Bath. And now no day passed without action, and very sharp skirmishes; sir William Waller having received from London a fresh regiment of five hundred horse, under the command of sir Arthur Haalrig: which were so prodigiously armed, that they were called by the other side the regiment of lobsters, because of their bright iron shells, with which they were covered, being perfect cuirassiers; and were the first seen so armed on either side, and the first that made any impression upon the king's horse; who, being unarmed, were

not able to bear a shock with them; besides that they were secure from hurts of the sword, which were almost the only weapons the other were furnished with.

The contention was hitherto with parties; in which the successes were various, and almost with equal losses: for as sir William Waller, upon the first advance from Wells, beat up a regiment of horse and dragoons of sir James Hamilton's, and dispersed them; so, within two days, the king's forces beat a party of his from a pass near Bath, where the enemy lost two field-pieces, and near an hundred men. But sir William Waller had the advantage in his ground, having a good city, well furnished with provisions, to quarter his army together in; and so in his choice not to fight, but upon extraordinary advantage. Whereas the king's forces must either disperse themselves, and so give the enemy advantage upon their quarters, or, keeping near together, lodge in the field, and endure great distress of provision; the country being so disaffected, that only force could bring in any supply or relief. Hereupon, after several attempts to engage the enemy to a battle upon equal terms, which, having the advantage, he wisely avoided; the marquis and prince Maurice advanced with their whole body to Marsfield, five miles beyond Bath towards Oxford; presuming, that, by this means, they should draw the enemy from their place of advantage, their chief business being to hinder them from joining with the king. And if they had been able to preserve that temper, and had neglected the enemy, till they had quitted their advantages, it is probable they might have fought upon as good terms as they desired. But the unreasonable contempt they had of the enemy, and confidence they should prevail in any ground, with the straits they endured for want of provisions, and their want of ammunition, which was spent as much in the daily hedge-skirmishes, and upon their guards, being so near as could have been in battle, would not admit that patience; for sir William Waller, who was not to suffer that body to join with the king, no sooner drew out his whole army to Lansdown, which looked towards Marsfield, but they suffered themselves to be engaged upon great disadvantage.

It was upon the fifth of July when sir William Waller, as soon as it was light, possessed himself of that hill; and after he had, upon the brow of the hill over the high way, raised breast-works with fagots and earth, and planted cannon there, he sent a strong party of horse towards Marsfield, which quickly alarmed the other army, and was shortly driven back to their body. As great a mind as the king's forces had to cope with the enemy, when they had drawn into battalia, and found the enemy fixed on the top of the hill, they resolved not to attack them upon so great disadvantage; and so retired again towards their old quarters: which sir William Waller perceiving, sent his whole body of horse and dragoons down the hill, to charge the rear and flank of the king's forces; which they did thoroughly, the regiment of cuirassiers so amazing the horse they charged, that they totally routed them; and, standing firm and unshaken themselves, gave so great terror to the king's horse, who had never before turned from an enemy, that no example of their officers, who did their parts with invincible courage, could make them charge with the same confidence, and in the same manner they had usually done. However, in the end, after sir

Nicholas Slanning, with three hundred musketeers, had fallen upon and beaten their reserve of dragooners, prince Maurice and the earl of Carnarvon, rallying their horse, and winging them with the Cornish musketeers, charged the enemy's horse again, and totally routed them; and in the same manner received two bodies more, and routed and chased them to the hill; where they stood in a place almost inaccessible. On the brow of the hill there were breast-works, on which were pretty bodies of small shot, and some cannon; on either flank grew a pretty thick wood towards the declining of the hill, in which strong parties of musketeers were placed; at the rear was a very fair plain, where the reserves of horse and foot stood ranged; yet the Cornish foot were so far from being appalled at this disadvantage, that they desired to fall on, and cried out, "that they might have leave to fetch off those cannon." In the end, order was given to attempt the hill with horse and foot. Two strong parties of musketeers were sent into the woods, which flanked the enemy; and the horse and musketeers up the road way, which were charged by the enemy's horse, and routed; then sir Bevil Greenvil advanced with a party of horse, on his right hand, that ground being best for them; and his musketeers on the left; himself leading up his pikes in the middle; and in the face of their cannon, and small-shot from the breast-works, gained the brow of the hill, having sustained two full charges of the enemy's horse; but in the third charge his horse failing, and giving ground, he received, after other wounds, a blow on the head with a poleaxe, with which he fell, and many of his officers about him; yet the musketeers fired so fast upon the horse, that they quitted their ground, and the two wings, who were sent to clear the woods, having done their work, and gained those parts of the hill, at the same time they beat off their foot, and became possessed of the breast-works; and so made way for their whole body of horse, foot, and cannon, to ascend the hill; which they quickly did, and planted themselves on the ground they had won; the enemy retiring about demi-culverin shot, behind a stone wall upon the same level, and standing in reasonable good order.

Either party was sufficiently tired, and battered, to be contented to stand still. The king's horse were so shaken, that of two thousand which were upon the field in the morning, there were not above six hundred on the top of the hill. The enemy was exceedingly scattered too, and had no mind to venture on plain ground with those who had beaten them from the hill; so that, exchanging only some shot from their ordnance, they looked one upon another till the night interposed. About twelve of the clock, it being very dark, the enemy made a show of moving towards the ground they had lost; but giving a smart volley of small-shot, and finding themselves answered with the like, they made no more noise: which the prince observing, he sent a common soldier to hearken as near the place, where they were, as he could; who brought word, "that the enemy had left lighted matches in the wall behind which they had lain, and were drawn off the field;" which was true; so that, as soon as it was day, the king's army found themselves possessed entirely of the field, and the dead, and all other ensigns of victory: sir William Waller being marched to Bath, in so much disorder and apprehension, that he left great store of arms, and ten

barrels of powder, behind him; which was a very seasonable supply to the other side, who had spent in that day's service no less than fourscore barrels, and had not a safe proportion left.

In this battle, on the king's part, there were more officers and gentlemen of quality slain, than common men; and more hurt than slain. That which would have clouded any victory, and made the loss of others less spoken of, was the death of sir Bevil Greenvil; who was indeed an excellent person, whose activity, interest, and reputation, was the foundation of what had been done in Cornwall; and his temper and affections so public, that no accident which happened could make any impressions in him; and his example kept others from taking any thing ill, or at least seeming to do so. In a word, a brighter courage, and a gentler disposition, were never married together to make the most cheerful and innocent conversation.

Very many officers and persons of quality were hurt; as the lord Arundel of Wardour, shot in the thigh with a brace of pistol bullets; sir Ralph Hopton, shot through the arm with a musket; sir George Vaughan, and many others, hurt in the head of their troops with swords and poleaxes; of which none of name died. But the morning added much to the melancholy of their victory, when the field was entirely their own. For sir Ralph Hopton riding up and down the field to visit the hurt men, and to put the soldiers in order, and readiness for motion, sitting on his horse, with other officers and soldiers about him, near a wagon of ammunition, in which were eight barrels of powder; whether by treachery, or mere accident, is uncertain, the powder was blown up; and many, who stood nearest, killed; and many more maimed; among [whom] sir Ralph Hopton and sergeant major Sheldon were miserably hurt; of which, major Sheldon, who was thought to be in less danger than the other, died the next day, to the general grief of the army, where he was wonderfully beloved, as a man of an undaunted courage, and as great gentleness of nature. Sir Ralph Hopton, having hardly so much life, as not to be numbered with the dead, was put into a litter, and then the army marched to their old quarters to Marsfield; exceedingly cast down with their morning's misfortune, (sir Ralph Hopton being indeed the soldiers' darling,) where they reposed themselves the next day, principally in care of sir Ralph Hopton, who, though there were hope of his recovery, was not fit to travel. In this time many of the horse, which had been routed in the morning, before the hill was won, found the way to Oxford; and, according to the custom of those who run away, reported all to be lost, with many particular accidents, which they fancied very like to happen when they left the field; but the next day brought a punctual advertisement from the marquis, but, withal, a desire of a regiment or two of fresh horse, and a supply of ammunition; whereupon the earl of Crawford with his regiment of horse, consisting of near five hundred, was directed to advance that way, with such a proportion of ammunition as was desired.

After a day's rest at Marsfield, it being understood that sir William Waller was still at Bath, (his army having been rather surprised and discomfited with the incredible boldness of the Cornish foot, than much weakened by the number slain, which was not greater than on the king's

part,) and that he had sent for fresh supply from Bristol; it was concluded, rather to march to Oxford, and so to join with the king's army, than to stay and attend the enemy, who was so near his supplies: and so they marched towards Chippenham. But when sir William Waller had intelligence of the blowing up of the powder, of which he well knew there was scarcely enough before, and of the hurt it had done, he infused new spirit into his men; and verily believed that they had no ammunition, and that the loss of sir Ralph Hopton (whom the people took to be the soul of that army, the other names being not so much spoken of, or so well known, and at this time believed to be dead) would be found in the spirits of the soldiers; and having gotten some fresh men from Bristol, and more from the inclinations of the three counties of Wilts, Gloucester, and Somerset, which joined about Bath, in the most absolute disaffected parts of all three, he followed the marquis towards Chippenham; to which he was as near from Bath, as the other from Marsfield.

The next day, early in the morning, upon notice that the enemy was in distance, the prince and the marquis drew back the army through Chippenham, and presented themselves in battalia to the enemy; being very well contented to fight in such a place, where the success was to depend more on their foot, who were unquestionably excellent, than on their horse, which were at best weary, though their officers were, to envy, forward and resolute. But sir William Waller, who was a right good chooser of advantages, liked not that ground; relying as much upon his horse, who had gotten credit and courage, and as little upon his foot, who were only well armed, and well bodied, very vulgarly spirited, and officered: so that having stood all night in battalia, and the enemy not coming on, the prince and marquis, the next day, advanced towards the Devizes; sir Nicholas Slanning, with great spirit and prudence, securing the rear with strong parties of musketeers; with which he gave the enemy, who pressed upon them very smartly, so much interruption, that sir William Waller, despairing of overtaking, sent a trumpet to the marquis, with a letter, offering a pitched field at a place of his own choosing, out of the way. The which being easily understood to be only a stratagem to beget a delay in the march, the marquis carried the trumpet three or four miles with him, and then sent him back with such an answer as was fit. There were, all this day, perpetual and sharp skirmishes in the rear; the enemy pressing very hard, and being always with loss repulsed, till the army safely reached the Devizes.

Then the case was altered for their retreat to Oxford, the enemy being upon them with improvement of courage, and improvement of numbers; sir William Waller having dispersed his warrants over the country, signifying "that he had beaten the marquis," and requiring the people "to rise in all places for the apprehension of his scattered and dispersed troops;" which confidence, men conceived, could not proceed from less than a manifest victory; and so they flocked to him as the master of the field. The foot were no more now to make the retreat, the situation of the place they were now in, being such as they could move no way towards Oxford, but over a campaign of many miles, where the stronger in horse must needs prevail.

Hereupon, it was unanimously advised, and consented to, that the lord marquis and prince Maurice should that night break through, with all the horse, to Oxford; and that sir Ralph Hopton (who, by this, was supposed past danger of death, and could hear and speak well enough, though he could not see or stir) with the earl of Marlborough, who was general of the artillery, the lord Mohun, and other good officers of foot, should stay there with their foot and cannon, where it was hoped they might defend themselves, for a few days, till the general might return with relief from Oxford; which was not above thirty miles off. This resolution was pursued; and, the same night, all the horse got safe away into the king's quarters, and the prince and marquis, in the morning, came to Oxford; by which time sir William Waller had drawn all his forces about the Devizes. The town was open, without the least fortification or defence, but small ditches and hedges; upon which the foot were placed, and some pieces of cannon conveniently planted. The avenues, which were many, were quickly barricaded to hinder the entrance of the horse, which was principally apprehended. Sir William Waller had soon notice of the remove of the horse; and therefore, intending that pursuit no farther, he brought his whole force close to the town, and beleaguered it round; and having raised a battery upon a hill near the town, he poured in his shot upon it without intermission, and attempted to enter in several other places with horse, foot, and cannon; but was in all places more resolutely resisted, and repulsed. At the same time, having intelligence (as his intelligence was always most exact in whatsoever concerned him) of the earl of Crawford's marching with a supply of powder, according to order, after the first notice of the battle of Lansdown, he sent a strong party of horse and dragoons to intercept him; who, before he knew of the alterations which had happened, and of the remove of the horse towards Oxford, was so far engaged, that he hardly escaped with the loss of his ammunition, and a troop or two of his horse.

Upon this improvement of his success, sir William Waller reckoned his victory out of question; and thereupon sent a trumpet into the town to summon the besieged, to let them know, "that he had cut off their relief, and that their state was now desperate; and therefore advised them to submit themselves to the parliament, with whom he would mediate on their behalf." They in the town were not sorry for the overture; not that they apprehended it would produce any conditions they should accept, but that they might gain some time of rest by it: for the straits they were in were too great for any minds not prepared to preserve their honour at any rates. When the enemy came first before the town, and the guards were supplied with ammunition for their duty, there was but one hundred and fifty weight of match left in the store; whereupon diligent officers were directed to search every house in the town, and to take all the bed-cords they could find, and to cause them to be speedily beaten, and boiled. By this sudden expedient, there was, by the next morning, provided fifteen hundred weight of such serviceable match, as very well endured that sharp service. Then the compass of the ground they were to keep was so large, and the enemy pressed so hard upon all places, that their whole body were upon perpetual

duty together, neither officer or soldier having any time for rest; and the activity of the chief officers was most necessary to keep up the courage of the common men, who well enough understood the danger they were in, and therefore they were very glad of this message; and returned, "that they would send an officer to treat, if a cessation were agreed to during the time of the treaty;" which was consented to, if it were suddenly expedited.

On the party of the besieged were proposed such terms, as might take up most time in the debate, and might imply courage and resolution to hold out. Sir William Waller, on the other hand, offered only quarter, and civil usage to the officers, and leave to the common soldiers to return to their houses without their arms, except they would voluntarily choose to serve the parliament. These being terms many of the officers would not have submitted to in the latest extreme, the treaty ended; after those in the town had gained what they only looked for, seven or eight hours' sleep, and so long time sparing of ammunition. The truth is, sir William Waller was so confident that they were at his mercy, that he had written to the parliament, "that their work was done, and that, by the next post, he would send the number and quality of his prisoners;" neither did he imagine it possible that any relief could have been sent from Oxford; the earl of Essex, to whom he had signified his success, and the posture he was in, lying with his whole army at Thame, within ten miles of it. But the importance was too well understood by the king to omit anything, that might, with the utmost hazard, be attempted for the redeeming those men, who had wrought such wonders for him. And therefore, as soon as the marquis and prince arrived at Oxford, with the sad and unexpected news, and relation of the distress of their friends, though the queen was then on her march towards Oxford, and the king had appointed to meet her two days' journey for her security, his majesty resolved to take only his own guards of horse, and prince Rupert's regiment, for that expedition; and sent the lord Wilmot with all the rest of the horse, to march that very day, in which the advertisement came to him, towards the Devizes; so that the marquis and the prince coming to Oxford on the Monday morning, the lord Wilmot, that night, moved towards the work; and prince Maurice returning with him as a volunteer, but the lord Wilmot commanding in chief, appeared, on the Wednesday about noon, upon the plain within two miles of the town.

The lord Wilmot had with him fifteen hundred horse, and no more, and two small field-pieces, which he shot off, to give the town notice of his coming; having it in his hopes, that, it being a fair campaign about the town, when the enemy should rise from before it, he should be able in spite of them to join with the foot, and so to have a fair field for it; which would be still disadvantageous enough, the enemy being superior by much in horse, very few of those who had broken away from the Devizes (except the prince himself, the earl of Carnarvon, and some other officers) being come up with them, partly because they were tired, and dispersed; and partly because it was not desired to have many of those who might have their old terror still upon them. The enemy, careful to prevent the joining of this party of horse with the

foot, and fully advertised of their coming, drew off, on all parts, from the town; and put themselves in battalia upon the top of a fair hill, called Roundway-down; over which the king's forces were necessarily to march, being full two miles off the town: they within conceived it hardly possible, that the relief, they expected from Oxford, could so soon arrive; all the messengers, who were sent to give notice of it, having miscarried by the closeness of the siege; and therefore suspected the warning pieces from the plain, and the drawing off the town by the enemy, to be a stratagem to cozen the foot from those posts they defended, into the open field; and so, very reasonably, being in readiness to march, [they] waited a surer evidence, that their friends were at hand; which shortly arrived; and assured them, "that the prince was by, and expected them."

It will be easily conceived, with what alacrity they advanced; but sir William Waller had purposely chose that ground to hinder that conjunction, and advanced so fast on the lord Wilmot, that without such shifts and traverses, as might give his men some apprehension, he could not expect the foot from the town; and therefore he put his troops in order upon that ground to expect the enemy's charge, who were somewhat more than musket-shot off in order of battle.

Here sir William Waller, out of pure gayety, departed from an advantage he could not again recover; for being in excellent order of battle, with strong wings of horse to his foot, and a good reserve placed, and his cannon usefully planted, apprehending still the conjunction between the horse and the foot in the town, and gratifying his enemy with the same contempt, which had so often brought inconveniences upon them, and discerning their number inferior to that he had before (as he thought) mastered, he marched, with his whole body of horse, from his foot, to charge the enemy; appointing sir Arthur Haslerig with his cuirassiers apart, to make the first impression; who was encountered by sir John Byron, in whose regiment the earl of Carnarvon charged as a volunteer; and after a sharp conflict, in which sir Arthur Haslerig received many wounds, that impenetrable regiment was routed, and, in a full career, chased upon their other horse. And at the same time, the lord Wilmot charging them from division to division, as they were ranged, in half an hour, so sudden alterations the accidents of war introduce, the whole entire body of the triumphant horse were so totally routed and dispersed, that there was not one of them to be seen upon that large spacious down; every man shifting for himself with greater danger by the precipices of that hill, than he could have undergone by opposing his pursuer. But as it was an unhappy ground to fly, so it was as ill for the pursuer; and after the rout, more perished by falls and bruises from their horses, down the precipices, than by the sword. The foot stood still firm, making shew of a gallant resistance; but the lord Wilmot quickly seized their cannon, and turned them upon them, at the same time that the Cornish foot, who were by this come from the town, were ready likewise to charge them; upon which their hearts failed; and so they were charged on all sides, and either killed, or taken prisoners, very few escaping; the Cornish retaining too fresh a memory of their late distresses, and revenging themselves of those who had contributed the least

thereunto. Sir William Waller himself, with a small train, fled into Bristol, which had sacrificed a great part of their garrison in his defeat; and so were even ready to expire at his entry into the town, himself bringing the first news of his disaster.

This glorious day, for it was a day of triumph, redeemed the king's whole affairs, so that all clouds that shadowed them seemed to be dispelled, and a bright light of success to shine over the whole kingdom. There were in this battle slain, on the enemy's part, above six hundred on the place; nine hundred prisoners taken, besides two or three hundred retaken and redeemed, whom they had gathered up in the skirmishes and pursuit; with all their cannon, being eight pieces of brass ordnance; all their arms, ammunition, waggons, baggage, and victual; eight and twenty foot ensigns, and nine cornets; and all this by a party of fifteen hundred horse, with two small field-pieces, (for the victory was perfect, upon the matter, before the Cornish came up; though the foot were suffered to stand in a body uncharged, out of ceremony, till they came; that they might be refreshed with a share in the conquest,) against a body of full two thousand horse, five hundred dragoons, and near three thousand foot, with an excellent train of artillery. So that the Cornish had great reason to think their deliverance, and victory at Roundway, more signal and wonderful than the other at Stratton, save that the first might be thought the parent of the latter, and the loss on the king's party was less; for in this there were slain very few; and, of name, none but Dudley Smith, an honest and valiant young gentleman; who was always a volunteer with the lord Wilmot, and among the first upon any action of danger.

Besides the present fruit of this victory, the king received an advantage from the jealousy, that, from thence, grew among the officers of the parliament armies. For sir William Waller believed himself to be absolutely betrayed, and sacrificed by the earl of Essex, out of envy at the great things he had done, which seemed to eclipse his glories; and complained, "that he, lying with his whole army within ten miles of Oxford, should suffer the whole strength of that place to march thirty miles to destroy him, without so much as sending out a party to follow them, or to alarm Oxford, by which they would have been probably recalled." On the other hand, the earl, disdaining to be thought his rival, reproached the other with "unsoldierly neglects, and want of courage, to be beaten by a handful of men, and to have deserted his foot and cannon, without engaging his own person in one charge against the enemy." Wherever the fault was, it was never forgiven; but, from the enmity that proceeded from thence, the king often afterwards reaped very notable and seasonable advantages; which will be remembered in their places.

This blessed defeat happened to be upon the same day, and upon the same time of the day, when the king met the queen upon the field near Keinton, under Edge-hill, where the battle had been fought in October before; and before their majesties came to Oxford, they received the happy news of it. It is easy to imagine the joy with which it was received, all men raising their fallen spirits to a height too proportionable, as though



they should now go through all the work without farther opposition; and this transportation to either extremes was too natural upon all the vicissitudes of the war; and it was some allay to the welcome news of the victory to some men, that it had been obtained under the command and conduct of Wilmot; who was very much in prince Rupert's disesteem, and not in any notable degree of favour with the king, but much beloved in all the good fellowship of the army; which was too great a body. It was now time for the king's army, victorious in so many encounters, to take the field; upon what enterprise, was the question. This overthrow of Waller had infinitely surprised, and increased the distractions at London. They had seen the copy of his warrants, which his vanity had caused to be dispersed, after the action at Lansdown; in which he declared, "that he had routed the marquis's army, and was in pursuit of them; and therefore commanded the justices of peace, and constables, to give order for the apprehension of them, as they fled dispersed;" and expected every day, that the marquis would be sent up prisoner: and now to hear that this whole invincible army was defeated, and himself fled, upon the matter, alone, (for ill news is for the most part made worse, as the best is reported to be better than it is,) brought them to their wits end; [so] that they could little advance the recruiting the earl of Essex's army; who in his person likewise grew more sullen towards them, and resented their little regard of him, and grew every day more conversant with the earls of Northumberland and Holland, and others who were most weary of the war, and would be glad of peace upon easy terms.

The king's army received a fair addition, by the conjuncture with those forces which attended the queen; for her majesty brought with her above two thousand foot, well armed, and one thousand horse, with six pieces of cannon, and two mortars, and about one hundred waggons. So that as soon as their majesties came to Oxford, the earl of Essex, who had spent his time about Thame and Aylesbury, without any action after that skirmish in which Mr. Hamlden was slain, save by small parties, of which there was none of name or note, but one handsome smart conflict between a party of five hundred horse and dragoons, commanded by colonel Middleton, a Scotchman, on the parliament party, and a regiment of horse, commanded by sir Charles Lucas, on the king's; where, after a very soldierly contest, and more blood drawn than was usual upon such actions, the king's party prevailed, returning with some prisoners of name, and the slaughter of one hundred of their enemy, not without some loss of their own: [the earl, I say,] retired with his army broken, and disheartened, to Uxbridge, giving over any thought of fighting with the king, till he should be recruited with horse, men, and money; and suffering no less in the talk of the people, (who began to assume a great freedom in discourse,) for not interposing to hinder the queen's march to Oxford, and joining with the king, than for sitting still so near Oxford, whilst the lord Wilmot went from thence to the ruin of sir William Waller.

After which defeat, the lord Wilmot retired to Oxford to attend his majesty; and the Cornish army (for that name it deservedly kept still, though it received so good an increase by the marquis and

prince's joining with them) drew back, and possessed themselves of Bath, which was quitted, upon the overthrow of Waller; that garrison being withdrawn to reinforce Bristol. At Bath they rested, and refreshed themselves, till they might receive new orders from the king; who, upon full advice, and consideration of the state he was in, and the broken condition of the enemy, resolved to make an attempt upon the city of Bristol; to which prince Rupert was most inclined, for being disappointed in a former design; and where there were many well affected to the king's service from the beginning, and more since the execution of those two eminent citizens. And the disesteem generally of the courage of Nathaniel Fiennes, the governor, made the design to be thought the more reasonable; and so the marquis and prince Maurice returned to Bath, upon agreement to appear, on such a day, with their whole strength, before Bristol, on the Somersetshire side, when prince Rupert with the Oxford forces would appear before it, on the Gloucestershire side.

On the four and twentieth of July, both armies sat down before it; quartering their horse in that manner, that none could go out or in to the city, without great hazard of being taken; and the same day, with the assistance of some seamen, who were prepared before, they seized all the ships that were in King-road; which were not only laden with things of great value, as plate, money, and the best sort of all commodities, which those who suspected the worst had sent aboard, but with many persons of quality; who, being unwilling to run the hazard of a siege, thought that way to have secured themselves, and to have escaped to London; and so were all taken prisoners. The next day, prince Rupert came to his brother, and the marquis, and a general council of all the principal officers of both armies being assembled, it was debated, "in what manner they should proceed, by assault or approach."

There were in the town five and twenty hundred foot, and a regiment of horse and dragoons; the line about the town was finished; yet in some places the graff was wider and deeper than in others. The castle within the town was very well prepared, and supplied with great store of provisions to endure a siege. The opinions were several: the officers of the Cornish were of opinion, "that it was best to proceed by way of approach; because, the ground being very good, it would in a very short time be done; and since there was no army of the enemy in a possibility to relieve it, the securest way would be the best; whereas the works were so good, that they must expect to lose very many men; and, if they were beaten off, all their summer hopes would be destroyed; it not being easy, again to make up the spirit of the army for a new action. Besides, they alleged, the well affected party in the city, which was believed to be very great, would, after they had been closely besieged three or four days, have a greater influence upon the soldier, and be able to do more towards the surrender, than they could upon a storm; when they would be equally sensible of the disorder of the soldier, and their own damage by plunder, as the other; and the too late example of the executed citizens would keep men from offering at any insurrection in the city."



On the other hand, prince Rupert, and all the officers of his army, very earnestly desired to assault it; alleged "the work to be easy, and the soldiers fitter for any brisk attempt, than a dull patient design; and that the army would be more weakened by the latter than the former: that the city, not having yet recovered the consternation of sir William Waller's defeat, was so full of horror, that it would make a very weak defence: that there was no soldier of experience in the town, and the governor himself not like to endure the terror of a storm: whereas, if they gave them time to consider, and to look long upon them with a wall between, they would grow confirmed and resolute, and courage would supply the place of skill; and having plenty of all kinds of provisions within the town, they would grow strong and peremptory, whilst the besiegers grew less vigorous, and disheartened." These reasons, and the prince's importunity, with some insinuations of knowing more than was fit to be spoken, as if somewhat would be done within the town, that must not be mentioned, and a glorious contempt of danger, prevailed so far, that it was consented to, on all parts, to assault the town the next morning at three places on the Somersetshire side, and at three places on the Gloucestershire side, at the break of day. The truth is, both opinions, without any circumstances, were in themselves reasonable. For the Gloucestershire side, where prince Rupert was, might be stormed, the graff being shallow, and the wall, in some places, low and weak; which could not be easily approached, by reason the ground was rocky, and the redoubts high and very strong, which overlooked the ground; on the other side the ground was very easy to approach, and as inconvenient and dangerous to storm, by reason of a plain level before the line, and a broad and deep graff, and the line throughout better flankered than the other.

The next morning, with no other provisions fit for such a work, but the courage of the assailants, both armies fell on. On the west side, where the Cornish were, they assaulted the line in three places; one division led by Sir Nicholas Slanning, assisted with colonel John Trevannion, lieutenant colonel Slingsby, and three more field officers; too great a number of such officers to conduct so small a party as five hundred men, if there had not been an immoderate disdain of danger, and appetite of glory: another division, on the right hand, was led by colonel Buck, assisted by colonel Wagstaffe, colonel Bernard Ashley, who commanded the regiment of the lord marquis Hertford, with other officers of the field: and the third division, on the left hand, led by sir Thomas Basset, who was major general of the Cornish. These three divisions fell on together with that courage and resolution, as nothing but death could control; and though the middle division got into the graff, and so near filled it, that some mounted the wall, yet by the prodigious disadvantage of the ground, and the full defence the besieged made within, they were driven back with a great slaughter; the common soldiers, after their chief officers were killed, or desperately wounded, finding it a bootless attempt.

On prince Rupert's side, it was assaulted with equal courage, and almost equal loss, but with better success; for though that division, led on by the lord Grandison, colonel general of the foot, was beaten off, the lord Grandison himself being hurt;

and the other, led by colonel Bellasis, likewise had no better fortune; yet colonel Washington, with a less party, finding a place in the curtain (between the places assaulted by the other two) weaker than the rest, entered, and quickly made room for the horse to follow. The enemy, as soon as they saw the line entered in one place, either out of fear, or by command of their officers, quit their posts; so that the prince entered with his foot and horse into the suburbs; sending for one thousand of the Cornish foot, which were presently sent to second him; and marched up to Fromegate, losing many men, and some very good officers, by shot from the walls and windows; inasmuch as all men were much cast down to see so little gotten with so great a loss; for they had a more difficult entrance into the town than they had yet passed, and where their horse could be of no use to them; when, to the exceeding comfort of generals and soldiers, the city beat a parley; which the prince willingly embracing, and getting their hostages into his hands, sent colonel Gerard and another officer to the governor to treat. The treaty began about two of the clock in the afternoon, and, before ten at night, these articles were agreed on, and signed by all parties.

1. "That the governor, Nathaniel Fiennes, together with all the officers both of horse and foot, now within and about the city of Bristol, castle, and forts, may march out to-morrow morning by nine of the clock, with their full arms, bag and baggage, provided it be their own goods: and that the common foot soldiers march out without arms, and the troopers with their horses and swords, leaving their other arms behind them, with a safe convoy to Westminster; and after, not to be molested in their march, by any of the king's forces, for the space of three days.

2. "That there may be carriages allowed and provided to carry away their bag and baggage, and sick and hurt soldiers.

3. "That the king's forces march not into the town, till the parliament forces are marched out; which is to be at nine of the clock.

4. "That all prisoners in the city be delivered up; and that captain Eyres and captain Cookein, who were taken at the Devizes, be released.

5. "That sir John Horner, sir John Seymour, Mr. Edward Stevens, and all other knights, gentlemen, citizens, and other persons, that are now in the city, may, if they please, with their goods, wives, and families, bag and baggage, have free liberty to return to their own homes, or elsewhere, and there to rest in safety, or ride, and travel with the governor and forces: and such of them, and their families, as shall be left behind, by reason of sickness or other cause, may have liberty, so soon as they can conveniently, to depart this town with safety; provided that all gentlemen, and other persons, shall have three days' liberty to reside here, or depart with their goods, which they please.

6. "That all the inhabitants of the city shall be secured in their persons, families, and estates, free from plundering, and all other violence, or wrong whatsoever.

7. "That the charters and liberties of this city may be preserved; and that the ancient government thereof, and present governors and officers, may remain and continue in their former con-

"dition, according to his majesty's charters and pleasure.

8. "That, for avoiding inconveniences and distractions, the quartering of soldiers be referred or left to the mayor, and governor of the same city for the time being.

9. "That all such as have carried any goods into the castle may have free liberty to carry the same forth.

10. "That the forces, that are to march out, are to leave behind them all cannon, and ammunition, with their colours, and such arms as is before expressed."

The next morning, if not before, (for the truth is, from the time that the treaty was first offered, they in the town kept no guards, nor observed any order; but their soldiers run away to the prince, and many of his soldiers went into the town,) his highness was possessed of Bristol, the enemy then marching away. Here the ill example at Reading, in the breach of the articles, was remembered, and unhappily followed; for all that garrison was now here. So that they, with some colour of right, or retaliation, and the rest, by their example, used great license to the soldiers, who should have been safely conducted; which reflected much upon the prince, though he used his utmost power to suppress it; and charged colonel Fiennes to be accessory to his own wrong, by marching out of the town an hour before his appointment; and thereby his convoy was not ready; and at another gate than was appointed and agreed on. And as the articles were thus unhappily violated to those who went away, so they were not enough observed to those who stayed, and to the city itself: for many of colonel Fiennes' soldiers taking conditions, and entering with the king's army, instructed their new friends, who were most disaffected; so that one whole street upon the bridge, the inhabitants whereof lay under some brand of malignity, though, no doubt, there were many honest men among them, was almost totally plundered; which, because there was but little justice done upon the transgressors, was believed to be done by connivance from the officers, and more discredited the king's forces, and his cause, than was then taken notice of, or discovered. It was a noble attribute given to the brave Fabricius, *qui aliquid esse crederet et in hostem nefas*. I wish I could excuse those swervings from justice and right, which were too frequently practised against contracts, under the notion, that they, with whom they were made, were rebels, and could not be too ill used; when, as the cause deserved, so it needed all the ingenuity and integrity, in the propugners of it, to keep despair from the guilty, who were by much too numerous for the innocent.

This reduction of Bristol was a full tide of prosperity to the king, and made him master of the second city of his kingdom, and gave him the undisturbed possession of one of the richest counties of the kingdom, (for the rebels had now no standing garrison, or the least visible influence upon any part of Somersetshire, and rendered Wales (which was before well affected, except some towns in Pembrokehire) more useful to him; being freed of the fear of Bristol, and consequently of the charge that always attends those fears; and restored to the trade with Bristol; which was the greatest support of those parts. Yet the king might very well have said, what king Pyrrhus

heretofore did, after his second battle, by the city of Asculum, with the Romans, where he won the victory; "If we win another at this price, we are utterly undone." And truly his majesty's loss before this town was inestimable, and very hard to be repaired. I am persuaded there were slain, upon the several assaults, of common men, but such as were tried and incomparable foot, about five hundred; and abundance of excellent officers, whereof many were of prime command and quality.

On the Cornish side fell, besides major Kendall, and many other inferior officers, excellent in their degree, colonel Buck, a modest and a stout commander, and of good experience in war: who having got over the graff, and even to the top of the wall, was knocked down with a halbert, and perished in the graff; sir Nicholas Slanning, and colonel John Trevannion, the life and soul of the Cornish regiments, whose memories can never be enough celebrated; who being led by no impulsion, but of conscience, and their own observation of the ill practices and designs of the great conductors, (for they both were of the house of commons,) engaged themselves with the first in the opposition; and as soon as sir Ralph Hopton, and those other gentlemen came into Cornwall, joined with them; and being both of singular reputation, and good fortunes there, the one in possession, the other in reversion after his father, they engaged their persons and estates in the service; rather doing great things, than affecting that it should be taken notice of to be done by them; applying themselves to all infirmities, and descending to all capacities, for removing all obstructions, which accidentally arose among those, who could only prosper by being of one mind. Sir Nicholas Slanning was governor of Pendennis castle, upon the credit and security whereof, the king's party in that country first depended, and, by the command it had of the harbour of Falmouth, was, or might be, supplied with all that was necessary. He was indeed a young man of admirable parts, a sharp and discerning wit, a staid and solid judgment, a gentle and most obliging behaviour, and a courage so clear and keen, as, even without the other ornaments, would have rendered him very considerable: they were both young, neither of them above eight and twenty, of entire friendship to one another, and to sir Bevil Greenvil, whose body was not yet buried; they were both hurt almost in the same minute, and in the same place; both shot in the thigh with musket bullets; their bones broken, the one dying presently, the other some few days after; and both had the royal sacrifice of their sovereign's very particular sorrow, and the concurrence of all good men's; and, that which is a greater solemnity to their memories, as it fares with most great and virtuous men, whose loss is better understood long afterwards, they were as often lamented, as the accidents in the public affairs made the courage and fidelity of the Cornish of great signification to the cause.

On the north side, of prince Rupert's army, fell very many good officers, the chief of whom was colonel Harry Lunsford, an officer of extraordinary sobriety, industry, and courage; by whom, his excellent lieutenant colonel Moyle was likewise hurt, and died within few days, both shot out of a window after they had entered the suburbs. There were hurt, the lord viscount Grandison, nephew to

the great duke of Buckingham, who was colonel general of the king's foot; colonel John Bellasis, since lord Bellasis; colonel Bernard Ashley; colonel sir John Owen; and many other officers of name, of whom none of quality died of their wounds but the lord Grandison; whose loss can never be enough lamented. He was a young man of so virtuous a habit of mind, that no temptation or provocation could corrupt him; so great a lover of justice and integrity, that no example, necessity, or even the barbarity of this war, could make him swerve from the most precise rules of it; and of that rare piety and devotion, that the court, or camp, could not shew a more faultless person, or to whose example young men might more reasonably conform themselves. His personal valour, and courage of all kinds, (for he had sometimes indulged so much to the corrupt opinion of honour, as to venture himself in duels,) was very eminent, insomuch as he was accused of being too prodigal of his person; his affection, and zeal, and obedience to the king, was such as became a branch of that family. And he was wont to say, "that if he had not understanding enough to know the uprightness of the cause, nor loyalty enough to inform him of the duty of a subject, that the very obligations of gratitude to the king, on the behalf of his house, were such, as his life was but a due sacrifice:" and therefore, he no sooner saw the war unavoidable, than he engaged all his brethren, as well as himself, in the service; and there were then three more of them in command in the army, when he was so unfortunately cut off.

As soon as the news of the taking of Bristol came to the king at Oxford, after a solemn thanksgiving to God for the success, which was immediately and publicly performed, his majesty assembled his privy-council, to consider how this great blessing in war might be applied to the procuring a happy peace; and that this might be the last town he should purchase at the price of blood. It was evident, that, as this last victory added great lustre and beauty to the whole face of his affairs, so it would produce an equal paleness, and be an ominous presage to the parliament; where the jealousies and apprehensions between themselves still grew higher, and new remedies still proposed, which were generally thought worse than the disease.

Upon the news of the lord Fairfax's being defeated in the north, they resolved presently to send a committee of the two houses into Scotland, "to desire their brethren of that kingdom presently to advance with an army for their relief;" which was thought so desperate a cure, that the lords naming the earl of Rutland, and lord Grey of Warke, for that embassy, the earl upon indisposition of health procured a release; and the other, who had never declined any employment they would confer on him, so peremptorily refused to meddle in it, that he was committed to the Tower; and, in the end, they were compelled to depute only commoners to that service: and so sir William Armyne, young sir Henry Vane, and two more, assisted with Mr. Marshall and Mr. Nye, two of their powerful clergy, were embarked in that negotiation; upon which, they who sent them were so far from being confident, and so little satisfied, that they should be driven to bring in foreign forces, with the purpose whereof they had so long traduced the king, that there was, some few desperate per-

sons only excepted, even a universal desire of peace; and the earl of Essex himself, writing to the speaker of the house of commons, of the defects in his army, and of his wants of horse, men, and money, advised, "that they would think of sending some reasonable propositions to the king, for the procuring a safe peace;" which being the first intimation he had ever given to that purpose, together with his familiarity and correspondence with those lords, who were known passionately to desire an accommodation, gave them sad apprehensions; which were increased by some severe messages they received from him, for his vindication from the foul aspersions and calumnies, which were generally and publicly laid on him, for his unactivity after the winning Reading, whilst the queen marched securely to Oxford, and sir William Waller was destroyed; as if "he would think of some way of righting himself, if they were not sensible on his behalf."

How to work upon these discomposed humours, and to reduce them to such temper, that they might consent to the kingdom's peace, was the argument of the king's consultations: but by what expedient to promote this, was the difficulty. After the breach of the last treaty, and when the king had in vain laboured to revive it, and could not procure any answer from them to his last messages; but instead thereof his messenger imprisoned, tried before a council of war for his life, and still in custody, and a declaration, "that whosoever should be employed by his majesty, on any message to them, without their leave, should be proceeded against as a spy," (so that though they pretended to be his great council, they upon the matter now protested against any relation to his majesty,) he advised with his council, "what might be fit for him to do, to lessen the reverence and reputation of them with the people:" for the superstition towards the name of a parliament was so general, that the king had wisely forborne to charge the two houses with the treason and rebellion that was raised, but imputed it to particular persons, who were most visibly and actually engaged in it. Some were of opinion, "that all the members who stayed there, and sat in either house, being guilty of so many treasonable acts, thereby the parliament was actually dissolved, by the same reason as a corporation, by great misdemeanour and crime, might forfeit their charter; and therefore that the king should, by his proclamation, declare the dissolution of it, and then consider whether it were fit to call another." But this opinion was generally disliked, both "because it was conceived not to be just; for the treason of those who were present could not forfeit the right of those who were away; neither was it evident, that all present consented to the ill that was done; and the king's declaring a parliament to be dissolved, contrary to an act of parliament, was believed, would prove an act so ungracious to the people, for the consequences of it, that the king would be an exceeding loser by such an attempt; and that many, in such a case, would return thither, who out of conscience had withdrawn from that assembly."

In conclusion, the advice was unanimous, "that his majesty should declare the orders and proceedings of one or both houses to be void, by reason the members did not enjoy the freedom and liberty of parliament; and therefore require





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"his good subjects no longer to be misled by "them:" and, to that purpose, the king had issued his proclamation six weeks before this happy turn in his affairs, so that he could not now send a message to them, as to two houses of parliament, lest he might seem to retract his former judgment of them, which was concluded to be both regular and just. Upon the whole matter, lest his majesty might be understood to be so much elated with his good successes, and the increase of his strength, that he aimed at no less than a perfect victory, and the ruin of those who had incensed him, (by which insinuations they, who could not forgive themselves, endeavoured to make all others desperate,) he was resolved to publish such a declaration to the whole kingdom, that both houses, and [their] army, could not but take notice of, and might, if they were inclined to it, thence take a rise to make any overtures to him towards an atonement. And to that purpose, the next day after he received the assurance of the taking of Bristol, his majesty published this ensuing declaration; which being short, I shall enter in his own words.

*His majesty's declaration to all his loving subjects, after his victories over the lord Fairfax in the north, sir William Waller in the west, and the taking of Bristol by his majesty's forces.*

"As the grievances and losses of no particular persons, since these miserable bloody distempers have disquieted this poor kingdom, can be compared to the loss and damage we ourself have sustained, there having been no victory obtained but in the blood of our own subjects, nor no rapine or violence committed, but to the impoverishment and ruin of our own people; so, a blessed and happy peace cannot be so acceptable and welcome to any man, as to us. Almighty God, to whom all the secrets of our heart are open, who hath so often and so miraculously preserved us, and to whose power alone we must attribute the goodness of our present condition, (how unhappy soever it is with reference to the public calamities,) knows, with what unwillingness, with what anguish of soul, we submitted ourself to the necessity of taking up defensive arms. And the world knows with what justice and bounty we have repaired our subjects, for all the pressures and inconveniences they had borne, by such excellent laws, as would for ever have prevented the like; and with what earnestness and importunity we desired to add any thing, for the establishment of the religion, laws, and liberty of the kingdom. How all these have been disturbed, invaded, and almost destroyed, by faction, sedition, and treason, by those, who have neither reverence to God, nor affection to men, but have sacrificed both to their own ends and ambition, is now so evident, that we hope, as God hath wonderfully manifested his care of us, and his defence of his and our most just cause; so he hath so far touched the hearts of our people, that their eyes are at last opened to see how miserably they have been seduced, and to abhor those persons, whose malice and subtlety had seduced them to dishonour him, to rebel against us, and to bring much misery and calamity upon their native country.

"We well remember the protestation voluntarily

"made by us, in the head of that small army we were master of in September last, to defend and maintain the true reformed protestant religion: and if it should please God, by his blessing upon that army, to preserve us from this rebellion, that we would maintain the just privileges and freedom of parliament, and govern by the known laws of the land; for whose defence, in truth, that army was only raised, and hath been since kept. And there cannot be a more seasonable time to renew that protestation than now, when God hath vouchsafed us so many victories and successes, and hath rendered the power of those, who seek to destroy us, less formidable than it hath been, (so that we shall probably not fall under the scandalous imputation, which hath usually attended our messages of peace, that they proceed from the weakness of our power, not love of our people,) and when there is more freedom in many counties, for our good subjects to receive true information of their own and our condition; the knowledge whereof hath been, with equal industry and injustice, kept from them, as other acts of cruelty have been imposed on them.

"We do therefore declare to all the world, in the presence of Almighty God, to whom we must give a strict account of all our professions and protestations, that we are so far from intending any alteration of the religion established, (as hath been often falsely, scandalously, and against the conscience of the contrivers themselves of that rumour, suggested to our people,) or from the least thought of invading the liberty and property of the subject, or violating the just privileges of parliament, that we call that God to witness, *who hath covered our head in the day of battle*, that we desire from our soul, and shall always use our utmost endeavour, to preserve and advance the true reformed protestant religion, established in the church of England; in which we were born, have faithfully lived, and, by the grace of God, shall resolutely die: that the preservation of the liberty and property of the subject, in the due observation of the known laws of the land, shall be equally our care, as the maintenance of our own rights; we desiring to govern only by those good laws, which, till they were oppressed by this odious rebellion, preserved this nation happy. And we do acknowledge the just privileges of parliament to be an essential part of those laws, and shall therefore most solemnly defend and observe them. So that, in truth, if either religion, law, or liberty, be precious to our people, they will, by their submission to us, join with us in the defence of them; and thereby establish that peace, by which only they can flourish, and be enjoyed.

"Whether these men, that be professed enemies to the established ecclesiastical government, who reproach and persecute the learned orthodox ministers of the church, and into their places put ignorant, seditious, and schismatical preachers, who vilify the Book of Common Prayer, and impiously profane God's worship with their scurrilous and seditious demeanour, are like to advance that religion; whether those men, who boldly, and without the least shadow or colour of law, impose insupportable taxes and odious excises upon their fellow subjects, imprisonment, and murder them, are like to preserve the



"liberty and property of the subject : and whether those men, who seize and possess themselves of our own unquestionable revenue, and our just rights, have denied us our negative voice, have, by force and violence, awed and terrified the members of both houses, and lastly have, as far as in them lies, dissolved the present parliament, by driving away and imprisoning the members, and resolving the whole power thereof, and more, into a committee of a few men, contrary to all law, custom, or precedent, are like to vindicate and uphold the privileges of parliament, all the world may judge.

"We do therefore once more conjure our good subjects, by their memory of that excellent peace and firm happiness, with which it pleased God to reward their duty and loyalty in time past ; by their oaths of allegiance and supremacy, which no vow or covenant, contrived and administered to and by themselves, can cancel or evade ; by whatsoever is dear and precious to them in this life, or hoped or prayed for in the life to come, that they will remember their duty, and consider their interest, and no longer suffer themselves to be misled, their prince dishonoured, and their country wasted and undone by the malice and cunning of those state impostors ; who, under pretence of reformation, would introduce whatsoever is monstrous and unnatural both to religion and policy : but that they rather choose quietly to enjoy their religion, property, and liberty, founded and provided for by the wisdom and industry of former times, and secured and enlarged by the blessings upon the present age, than to spend their lives and fortunes to purchase confusion, and to make themselves liable to the most intolerable kind of slavery, that is, to be slaves to their fellow subjects ; who, by their prodigious, unheard of acts of oppression and tyranny, have given them sufficient evidence what they are to expect at their hands.

"And let not our good people, who have been misled, or, through want of understanding, or want of courage, submitted themselves to unwarrantable and disloyal actions, be taught, by these seducers, that their safety now consists in despair ; and that they can only secure themselves for the ills they have done, by a resolute and peremptory disobedience. Revenge and blood-thirstiness have never been imputed to us, by those, who have left neither our government, or nature, unexamined, with the greatest boldness and malice. And all those who, since those bloody distractions, out of conscience have returned from their evil ways to us, have found, that it was not so easy for them to repent, as for us to forgive. And whosoever have been misled by those whose hearts from the beginning have designed all this mischief, and shall redeem their past crimes by their present service and loyalty, in the apprehending or opposing such who shall continue to bear arms against us, and shall use their utmost endeavours to reduce those men to their due obedience, and to restore this kingdom to its wonted peace, shall have cause to magnify our mercy, and to repent the trespasses committed against so just and gracious a sovereign. Lastly, we desire all our good subjects who have really assisted, or really wished us well, now God hath done such wonderful things for us, vigorously to endeavour to put an end to all these miseries,

"by bringing in men, money, plate, horses, or arms, to our aid ; that so we being not wanting to ourselves, may with confidence expect the continuance of God's favour, to restore us all to that blessed harmony of affections, which may establish a firm peace ; without the speedy obtaining of which, this poor kingdom will be utterly undone, though not absolutely lost."

What effect this proclamation produced, at least what accident fell out shortly after the publishing it, we shall have occasion anon to remember, when we have first remembered some unfortunate passages, which accompanied this prosperity on the king's part ; for the sunshine of his conquest was somewhat clouded, not only by the number and quality of the slain, but by the jealousies and misunderstandings of those who were alive. There was not, from the beginning, that conformity of humour and inclinations between the princes and the marquis of Hertford, as had been to be wished between all persons of honour, who were engaged in a quarrel that could never prosper but by the union of the undertakers. Prince Maurice, and, on his behalf, (or rather the other by his impulsion,) prince Rupert, taking to heart, that a nephew of the king's should be lieutenant general to the marquis, who had neither been exercised in the profession of a soldier, nor even now punctually studied the office of a general : on the other hand, the marquis, who was of the most gentle nature to the gentle, and as rough and resolute to the imperious, it may be liked not the prince's assuming to himself more than became a lieutenant general, and sometimes crossing acts of his with relation to the governing and disposing the affairs of the country, in which he knew himself better versed than the prince ; and when Bristol was taken, where the marquis took himself to command in chief, being a town particularly within his commission, and of which he was besides lord lieutenant, he thought himself not regardfully enough used, that prince Rupert had not only entered into the treaty without his advice, but concluded the articles without so much as naming him, or taking notice that he was there. And therefore with as little ceremony to his highness, or so much as communicating it to either of the princes, the marquis declared that he would give the government of that city to sir Ralph Hopton. Prince Rupert on the other hand conceived the town won by him, being entered on that side in which he commanded absolutely, and the Cornish on the other part absolutely repulsed ; and therefore that the disposition of the command and government of it wholly belonged to him. But when he heard the resolution of the marquis concerning sir Ralph Hopton, who was not to be put into the scale with any private man, he gave over the design of conferring it upon any of the pretenders ; and by the same messenger, by whom he advertised his majesty of the good success, he desired, that he would bestow the government of that city, reduced by him, upon himself ; the which the king readily consented to, not suspecting any dispute to be about it. And shortly after an express arrived likewise from the marquis, with an account of all particulars, and that his lordship had designed sir Ralph Hopton to be governor of the new-got city.

Then, and not before, the king understood what strait he was in ; and was exceedingly perplexed to find an expedient to compose the difference that he

saw would arise. He had passed his word to his nephew, of whom he was very tender, and did in truth believe that his title to dispose the government was very just : so he had a very just esteem of the marquis, who had served him with all fidelity, and who clearly declared himself for him, when the doing otherwise would have been most prejudicial to his majesty : and, it could not be denied, no subject's affection and loyalty gave a greater lustre to the king's cause, than that of the marquis ; and that which was a circumstance of infinite moment, was the nominating sir Ralph Hopton ; who as he was a person of high merit from the king, so he was the most gracious and popular to that city, and the country adjacent ; and after so great service, and suffering in the service, to expose him to a refusal, was both against the kindness and goodness of the king's nature, and his politic foresight into his affairs. And (as a presage how various the interpretation would be abroad, of whatsoever he should determine, he found the minds and affections of his own court and council, with more passion than ordinary, ready to deliver their opinions. The marquis was generally loved, and where he was not enough known to be so, his interest and reputation in the kingdom was thought of wonderful consideration in the king's business : and many were very much troubled to see prince Rupert, whose activity and courage in the field they thought very instrumental, incline to get the possession of the second city of the kingdom into his hands, or to engage himself so much in the civil government, as such a command soberly executed must necessarily comprehend : and this as it were in contempt of one of the prime noblemen of the kingdom, to which order the prince had not expressed himself very debonair. And these thought "the king was, by counsel and precept, "to reform and soften the prince's understanding "and humour ; and to persuade him, in compliance with his service, to decline the contest, and "suffer the marquis to proceed in his disposition, "which, on all parts, was acknowledged to be "most fitly designed."

Others again were of opinion, "that the right "of disposing the command to whomsoever he "thought fit, entirely belonged to prince Rupert ; "and therefore (besides that the king had, by the "same messenger who brought the suit, returned "his consent) that he could not be reasonably refused, when he desired it for himself ; which "would take away all possible imagination of disrespect from sir Ralph Hopton, who could not take "it ill, that the prince himself had taken a command, that was designed to him : that the eyes "of the army were upon his highness, whose name "was grown a terror to the enemy, as his courage "and conduct had been very prosperous to the "king ; and if, after so happy and glorious an "achievement, he should now receive a repulse in "so reasonable a pretence, though it would not "lessen his own duty or alacrity in the service, it "might have an unhappy influence upon his reputation and interest in the army ; which could "receive no diminution without apparent damage "to his majesty : and therefore, that some means "should be used to the marquis, to wave his title, "and to consent that the prince should enjoy his "desires : "so that they who were only fit to be employed to persuade and alter either, seemed, and indeed were, passionately engaged against the

thing they were to persuade. So that the king discerned that all depended upon his own royal wisdom ; and therefore resolved to take a journey in his own person to Bristol, and there to give such a rule as he should find most necessary ; to which, he presumed, both persons would conform themselves, as well cordially, as obediently.

That which the king proposed to himself was, to gratify his nephew with the name, and the marquis, by making sir Ralph Hopton enjoy the thing ; upon obliging whom the king's care was very particular. For though he knew his nature, as in truth it was, most exactly free from interrupting the least public service by private ends or thoughts, other men would be apt to conceive and publish a disrespect to be done to him, which himself apprehended not ; and therefore that he was not only, in his own princely mind, to retain a very gracious sense of his service, but to give evidence to all men, that he did so. And so after he had made a joyful entrance into Bristol, which was performed with all decent solemnity, and used all kind and obliging expressions to the marquis, and in private desired him to consent, that he might perform his promise to his nephew, which he had passed before he had any imagination that his lordship otherwise had determined of it ; without speaking at all of any other title he had to it, but by his majesty's promise ; he established prince Rupert in the government of Bristol, who immediately sent a commission to sir Ralph Hopton, (who was now so well recovered, that he walked into the air,) to be his lieutenant governor ; signifying likewise to him, by a confidant who passed between them, "that though he was now engaged "for some time, which should not be long, to keep "the superior title himself, he would not at all "meddle in the government, but that he should be "as absolute in it, as if the original commission "had been granted to him."

Sir Ralph Hopton, who was exceedingly sorry that his name was at all used, and exposed, as an argument of difference and misunderstanding between persons of such eminent influence upon the public, quickly discerned that this expedient, though it seemed plausibly to lessen the noise of the debate, did in truth object him to the full envy of one party. For the marquis (who by the king's persuasions was rather quieted than satisfied) might, and he foresaw would, be persuaded to expect that he would refuse the commission from prince Rupert, both, as he might be thought to comply in an injury done to the marquis, to whom his devotion had been ancient, fast, and unshaken, and as the command now given him was inferior to what the marquis, who had the power of disposal, had conferred on him ; and so that he should vindicate the title, which the king himself was loath to give a judgment upon. And he was the more troubled, because he found that, by submitting to this charge, he should by some be thought to have deserted the marquis out of a kind of revenge for his having deserted the enterprise, when he chose, the last year, rather to go into Wales than Cornwall, and deserting him again now, when he brought all new officers to command the army over their heads who had raised it, and made the way for the new to come to them. Whereas the first, as is before remembered, was done by his own advice, as well as his full consent ; and the latter, he well knew, was rather to be imputed to

prince Maurice than to his lordship, whose kindness and esteem had been ever very real to him. On the other hand, he saw plainly, that if he refused to receive this commission, with what specious circumstances of duty and submission soever, it might produce (as without doubt unavoidably it would) notable disturbances and interruptions in the king's affairs; and that the marquis, to common understandings, had, to obey the king, declined the contestation, and therefore that the reviving it, and the mischief that attended it, would be imputed to his particular account. Besides that, he had always borne an avowed and declared reverence to the queen of Bohemia and her children, whom he had personally and actively served in their wars, whilst they maintained any, and for whose honour and restitution he had been a zealous and known champion. And therefore he had no inclination to disoblige a hopeful prince of that house, upon whom our own hopes seemed so much to depend. So that he resolved, according to his rare temper throughout this war, to let him whom he professed to serve, choose in what kind he would be served by him; and cheerfully received the commission from prince Rupert; upon which, all discourse, or debate of difference, was for the present determined, what whisperings or murmurings soever remained.

The king found it now high time to resolve, to what action next to dispose his armies, and that their lying still so long there (for these agitations had kept the main work from going forward ten or twelve days, a time in that season unfortunately lost) had more weakened, than refreshed them; having not lost more men by storming the city, than afterwards by plundering it: those soldiers, who had warmed themselves with the burden of pillage, never quietly again submitting to the carriage of their arms.

The question was first, "whether both armies should be united, and march in one upon the next design?" And then, "what that design should be?" Against the first, there were many allegations.

1. "The condition of the west: Dorsetshire and Devonshire were entirely possessed by the enemy; for though sir John Berkley with a daring party kept Exeter, and colonel John Digby the north part (which was notoriously disaffected) from joining with Plymouth, which would else quickly have grown into an army strong enough to infest Cornwall, yet they had no place to retire to upon distress; and all the ports upon the western coasts were garrisoned by them, which, upon the fame of the approach of the king's forces, and the loss of Bristol, might probably be, without much resistance, reduced.

2. "The Cornish army was greater in reputation, than numbers; having lost many at Lansdown, and the assault of Bristol, and, by the death of their chief officers, very many were run away since; besides they pretended some promise made to their country (which they conceived not to be enough secured against Plymouth) of returning speedily for the reduction of that town; so that if they were compelled to march eastwards, to which they were not inclined, it was to be doubted they would moulder away so fast, that there would be little addition of strength by it. Whereas if they marched

"westward, it would be no hard matter to gather up those who were returned, and to be strong enough in a very short time, by new levies, for any enterprise should be thought reasonable to be undertaken." To which was added, "that having lost those officers, whom they loved and feared, and whose reverence restrained their natural distempers, they were too much inclined to mutiny; and had expressed a peremptory aversion to the joining, and marching with the king's army." And the truth is, their humours were not very gentle and agreeable, and apt to think that their prowess was not enough recompensed, or valued. For though the king affected to make all possible demonstrations to them, of an extraordinary high esteem he had of their wonderful fidelity and courage, yet he was able to procure very little money for them; and they had then, by the discipline under which they had been trained, (which was most regular, and full of that sobriety which promised good fortune,) an honest pride in their own natures, a great disdain of plundering, or supplying themselves by those vile arts, which they grew afterwards less tender to avoid.

3. "The great number of the king's horse; which was so glorious a body, that when that part of it which was joined to the Cornish was away, he should march with at least six thousand horse, which were as many as would be able to live on any country within a due distance of quartering.

4. "Lastly, some correspondence with the chief gentlemen of Dorsetshire, who were ready to join with any considerable party for the king, and had some probable hopes, that the small garrisons upon the coast would not make a tedious resistance."

There was another reason, which was not given, that if both armies had been kneaded into one, prince Maurice could have been but a private colonel: but there were enough besides to satisfy the king to keep them divided; and so he gave order to the earl of Carnarvon to advance towards Dorchester (the chief town in that county, and the most malignant in England, where the rebels had a garrison) with the horse and dragoons, and the next day to prince Maurice to march after with the foot and cannon; his majesty keeping with him the marquis of Hertford to attend his own person; for though he well saw, he should undergo some inconveniences by withdrawing the marquis from that employment, the opinion of the soundness of his religion, and integrity of his justice, rendering him by much the most popular man in those parts, and was exceedingly tender of giving the least umbrage and distaste to his lordship, upon whose honour and affection he relied entirely, and would as soon have trusted his crown upon his fidelity, as upon any man's in his three kingdoms, yet he discerned plainly that the prince and the marquis would never agree together; and that there were persons about them, who would foment their indispositions to each other, with any hazard to his service; and concluded, that he should sooner reduce his people by the power of his army, than by the persuasions of his counsel; and that the roughness of the one's nature might prevail more than the lenity and condescension of the other: and therefore he sent the prince on that employment; using all imaginable means to remove any trouble, or jealousy of his favour from the mar-

quie's mind ; his majesty freely and clearly communicating to him all his counsels, and the true grounds of his resolution ; and declaring to him, " that he would make him a gentleman of his " bedchamber, and groom of his stole, and that he " would always have his company and advice " about him ; " with which the marquis was satisfied, rather because he resolved not to disobey him, than that he was well pleased with the price of the obligations.

And truly many wise and honest men were sorry for the king's election ; and though the marquis's years, and a long indulgence to his ease, had superinduced a kind of laziness and inactivity upon his nature, that was neither agreeable to his primitive constitution, nor the great endowments of his mind, (for he was a good scholar, and had a good judgment,) and less to the temper of this time, and the office of a general, inasmuch as he often resigned an excellent understanding to those who had a very indifferent one, and followed the advice, and concluded upon the information of those, who had narrower and more vulgar thoughts than suited with his honour, and were not worthy of such a trust ; yet they thought the prince's inexperience of the customs and manners of England, and an aversion from considering them, must subject him to the information and advice of worse counsellors than the other, and which would not be so easily controlled : and I am of opinion, that if the prince had waited on his majesty in that army, and never interposed in any command, not purely martial, and the marquis been sent with those forces into the west with the lord Hopton, (who was now to be left at Bristol to intend his health, and to form that new garrison ; which was to be a magazine for men, arms, ammunition, and all that was wanted,) and some other steady persons, who might have been assigned to special provinces, a greater tide of good fortune had attended that expedition.

The next resolution to be taken, was concerning the king's own motion with that army. There was not a man, who did not think the reducing of Gloucester, a city within little more than twenty miles of Bristol, of mighty importance to the king, if it might be done without a great expense of time, and loss of men : " It was the only garrison " the rebels had between Bristol and Lancashire, " on the north part of England ; and if it could be " recovered, his majesty would have the river of " Severn entirely within his command ; whereby " his garrisons of Worcester, and Shrewsbury, and " all those parts, might be supplied from Bristol ; " and the trade of that city thereby so advanced, " that the customs and duties might bring a notable revenue to the king, and the wealth of the " city increasing, it might bear the greater burden " for the war : a rich and populous county, which " hitherto rather yielded conveniences of quarter, " than a settled contribution, (that strong garrison " holding not only the whole forest division, which " is a fourth part of the county of Gloucester, absolutely in obedience, but so alarmed all other " parts, that none of the gentry, who for the most " part were well affected, durst stay at their own " houses,) might be wholly the king's quarters ; " and by how much it had offended and disquieted " the king, more than other counties, by so much " the more money might be raised upon them." Besides the general weekly contributions, the yeo-

manry, who had been most forward and seditious, being very wealthy, and able to redeem their delinquency at a high price, (and these arguments were fully pressed by the well affected gentry of the county, who had carried themselves honestly, and suffered very much by doing so, and undertook great levies of men, if this work were first done,) there was another argument of no less, if not greater, moment than all the rest : " if Gloucester were reduced, there would need no forces " to be left in Wales, and all those soldiers might " be then drawn to the marching army, and the " contributions and other taxes assigned to the " payment of it." Indeed the king would have had a glorious and entire part of his kingdom, to have contended with the rest.

Yet all these motives were not thought worth the engaging his army in a doubtful siege ; whilst the parliament might both recover the fear that was upon them, and consequently allay and compose the distempers, (which, if they did not wholly proceed from, were very much strengthened by, those fears,) and recruit their army ; and therefore that it was better to march into some of those counties which were most oppressed by the enemy, and there wait such advantage, as the distraction in and about London would administer, except there could be some probable hope that Gloucester might be got without much delay. And to that purpose there had been secret agitation, the effect whereof was hourly expected. The governor of that garrison was one colonel Massy, a soldier of fortune, who had, in the late northern expeditions prepared by the king against Scotland, been an officer in the king's army, under the command of [colonel] William Leg ; and, in the beginning of these troubles, had been at York with inclination to serve the king ; but finding himself not enough known there, and that there would be little gotten, but the comfort of a good conscience, he went to London, where there was more money, and fewer officers ; and was easily made lieutenant colonel to the earl of Stamford ; and being quickly found to be a diligent and stout officer, and of no ill parts of conversation to render himself acceptable among the common people, was by his lordship, when he went into the west, left governor of that city [of Gloucester], where he had behaved himself actively and successfully. There was no reason to despair, that this man (not intoxicated with any of those fumes which made men rave, and frantic in the cause) might not be wrought upon. And Will. Leg, who had the good opinion of most men, and the particular kindness of prince Rupert, had sent a messenger, who was like to pass without suspicion to Gloucester, with such a letter of kindness and overture to Massy, as was proper in such a case from one friend to another. This messenger returned when the king's and the army's motion was under debate, and brought an answer from the governor, in a very high style, and seeming to take it much unkindly, " that he should endeavour " to corrupt him in his honesty and fidelity, and " to persuade him to break a trust, which, to save " his life, he would never do ; " with much discourtesy " of his honour and reputation, which would " be always dear to him." But the messenger said withal, " that, after the governor had given " him this letter, and some sharp reproaches before company, he was brought again, a back " way, to a place where he was by himself ; and

"then he told him, that it was most necessary he should write such an answer as he had done; which was communicated to those, who else would have been jealous what such a messenger should come to him about; but that he should tell Will. Leg, that he was the same man he had ever been, his servant; and that he wished the king well; that he heard prince Rupert meant to bring the army before that town; if he did, he would defend it as well as he could; and his highness would find another work than he had at Bristol; but if the king himself came with his army, and summoned it, he would not hold it against him: for it would not stand with his conscience to fight against the person of the king; besides that in such a case, he should be able to persuade those of the town; which otherwise he could not do."

This message turned the scale; for though it might be without purpose of being honest, yet there was no great objection against the king's marching that way with his army; since it would be still in his power to pursue any other counsel, without engaging before it. And it was to some a sign that he meant well, because he had not hanged, or at least imprisoned, the messenger who came to him on such an errand. Hereupon the king resolved for Gloucester, but not to be engaged in a siege; and so sent his army that way; and the next day (having first sent sir Ralph Hopton a warrant to create him baron Hopton of Stratton, in memory of the happy battle fought there) with the remainder of his forces marched towards it. On Wednesday the tenth of August, the king ranged his whole army upon a fair hill, in the clear view of the city, and within less than two miles of it; and then, being about two of the clock in the afternoon, he sent a trumpet with this summons to the town.

"Out of our tender compassion to our city of Gloucester, and that it may not receive prejudice by our army, which we cannot prevent if we be compelled to assault it, we are personally come before it to require the same; and are graciously pleased to let all the inhabitants of, and all other persons within that city, as well soldiers as others, know, that if they shall immediately submit themselves, and deliver this our city to us, we are contented, freely and absolutely to pardon every one of them, without exception; and do assure them, in the word of a king, that they, nor any of them shall receive the least damage or prejudice by our army in their persons or estates; but that we will appoint such a governor, and a moderate garrison to reside there, as shall be both for the ease and security of that city, and that whole county. But if they shall neglect this proffer of grace and favour, and compel us, by the power of our army, to reduce that place, (which, by the help of God, we doubt not, we shall be easily and shortly able to do,) they must thank themselves for all the calamities and miseries must befall them. To this message we expect a clear and positive answer, within two hours after the publishing hereof; and by these presents do give leave to any persons, safely to repair to and return from us, whom that city shall desire to employ unto us in that business: and do require all the officers and soldiers of our army, quietly to suffer them to pass accordingly."

Within less than the time prescribed, together with the trumpeter returned two citizens from the town, with lean, pale, sharp, and bald visages, indeed faces so strange and unusual, and in such a garb and posture, that at once made the most severe countenances merry, and the most cheerful hearts sad; for it was impossible such ambassadors could bring less than a defiance. The men, without any circumstances of duty, or good manners, in a pert, shrill, undismayed accent, said, "they had brought an answer from the godly city of Gloucester to the king;" and were so ready to give insolent and seditious answers to any question, as if their business were chiefly to provoke the king to violate his own safe-conduct. The answer they brought was in writing, in these very words:

*August 10th, 1643.*

"We the inhabitants, magistrates, officers, and soldiers, within this garrison of Gloucester, unto his majesty's gracious message return this humble answer: That we do keep this city, according to our oaths and allegiance, to and for the use of his majesty, and his royal posterity: and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both houses of parliament: and are resolved, by God's help, to keep this city accordingly."

This paper was subscribed by Wise the mayor, and Massey the governor, with thirteen of the aldermen, and most substantial citizens, and eleven officers of the garrison; and as soon as their messengers returned, who were quickly dismissed, without attending to see what the king resolved, all the suburbs of the city, in which were very large and fair buildings, well inhabited, were set on fire; so that there was no doubt, the king was to expect nothing there but what could not be kept from him. Now was the time for new debates, and new resolutions; to which men came not so unbiassed, or unswayed, as they had been at Bristol. This indignity and affront to the king prompted thoughts of revenge; and some thought the king so far engaged, that in honour he could not do less than sit down before the town, and force it: and these inclinations gave countenance and credit to all those plausible informations, "of small provisions in the town, either of victual, or ammunition; that, where the town was strongest, there was nothing but an old stone wall, which would fall upon an easy battery; that there were many well affected people in the town, who, with those who were incensed by the burning of the suburbs, and the great losses they must sustain thereby, would make such a party, that as soon as they were distressed, the seditious party would be forced to yield." It was alleged, "that the enemy had no army; nor, by all intelligence, was like to form any soon enough to be able to relieve it; and if they had an army, that it was much better for his majesty to force them to that distance from London, and to fight there, where he could be supplied with whatsoever he wanted, could choose his own ground, where his brave body of horse would be able to defeat any army they could raise, than to seek them in their own quarters."

Above all, the confidence of the soldiers of the best experience moved his majesty; who upon riding about the town, and taking a near view of it,

were clear of opinion, that they should be able in less than ten days by approach, for all thoughts of storming were laid aside upon the loss at Bristol, to win it. This produced a resolution in his majesty, not one man in the council of war dissuading it. And so the king presently sent to Oxford for his general the earl of Brentford "to come to him, with all the foot that could be spared out of that garrison, and his pieces of battery, and to govern that action:" prince Rupert wisely declining that province, and retiring himself into the generalship of the horse, that he might not be thought accountable for any accidents which should attend that service. At the same instant, orders were despatched to sir William Vavasour, who commanded all the forces in South Wales, (the lord Herbert having been persuaded so far to comply with the indisposition of that people, as to decline that command, or at least for a time to dissemble it,) "to draw all his men to the forest side of the town;" where the bridges being broken down, a small strength would keep them in, and any from going to them, which within two days was done. Thus the king was engaged before Gloucester; and thereby gave respite to the distracted spirits at London, to breathe, and compose themselves; and, more methodically than they had hoped to have done, to prepare for their preservation, and accomplishing their own ends; which at that time seemed almost desperate and incurable.

The direful news of the surrender of Bristol, which was brought to the two houses on the 31st of July, struck them to the heart, and came upon them as a sentence of death, after a vast consumption of money, and confident promises of destroying all the king's forces by a day, every tax and imposition being declared to be the last; and for finishing the work, the earl of Essex was at the same time returned to Kingston, within eight miles of them, with his broken and dismayed troops, which himself would not endure should have the title of an army. So that the war seemed to be even at an end in a sense very contrary to what they had undertaken; their general talking more, and pressing for reparation, and vindication of his honour from imputations and aspersions, than for a recruit of forces, or providing an army to defend them. Every man reproached his neighbour with his disinclination to peace, when good conditions might be had, and magnified his own wisdom, for having feared "it would come to this." The king's last declaration had been read by all men, and was magnified "as a most gracious and undeniable instance of his clemency and justice, that he was so far from being elated with his good successes, and power almost to have what he would, that he renewed all those promises, and protestations for the religion, laws, and liberties of the kingdom, and privileges of parliament; which had been out of their perverseness discredited before, as proceeding from the low condition he was in; and whereas they had been frightened with their representation of their own guilt, and the implacableness of the king's nature, as if he meant an utter conquest of them, his majesty had now offered all that could be honestly desired, and had expressed himself a prince not delighted with blood and revenge, but an indulgent father to the most disobedient children." In this reformation of understanding, the lords in their house debated nothing but expedients for peace: there

were not of that body above five, at the most, who had any inclination to continue the war; and the earl of Essex had sufficiently declared, "that he was weary of it," and held closest and strictest correspondence with those who most passionately pressed an accommodation. So that, on the fifth of August, they desired a conference with the commons; and declared to them, "that they were resolved to send propositions to the king, and that they hoped, they would concur in them:" the particulars proposed by them were,

1. "That both armies might be presently disbanded, and his majesty be entreated to return to his parliament, upon such security as should give him satisfaction.

2. "That religion might be settled with the advice of a synod of divines, in such a manner as his majesty, with the consent of both houses of parliament, should appoint.

3. "That the militia, both by sea and land, might be settled by a bill; and the militia, forts, and ships of the kingdom, put into such hands as the king should appoint, with the approbation of both houses of parliament: and his majesty's revenue to be absolutely and wholly restored unto him; only deducting such part, as had been of necessity expended for the maintenance of his children, and not otherwise.

4. "That all the members of both houses who had been expelled only for absenting themselves, or mere compliance with his majesty, and no other matter of fact against them, might be restored to their places.

5. "That all delinquents, from before the tenth day of January, 1641, should be delivered up to the justice of parliament, and a general pardon for all others on both sides.

6. And lastly, "That there might be an act of oblivion, for all by-gone deeds, and acts of hostility."

When this conference was reported in the house of commons, it begot a wonderful long and a hot debate, which lasted till ten of the clock that night, and continued a day or two more; the violent party (for there were yet many among them of more moderate constitutions, who did, and ever had heartily abhorred their proceedings, though out of fear, and indisposition of health, or not knowing else well what to do, they continued there) inveighed furiously against the design itself of sending to the king at all, and therefore would not have the particular propositions so much as considered: "They had received much prejudice by the last treaty at Oxford, and therefore must undergo much more now their condition was much lower: the king had since that, upon the matter, declared them to be no parliament; for if they were not free, they could not be a parliament; so that till that point were vindicated, they could not treat in any safe capacity, but would be looked upon under the notion of rebels, as his majesty had declared them. They had sent members into Scotland to require assistance, which that kingdom was preparing with all brotherly affection and forwardness; and after such a discovery, to treat for peace, without their privacy, was to betray them; and to forfeit all hopes hereafter of relief from thence, what necessities soever they might be reduced to. That the city of London had expressed all imaginable readiness to raise forces for sir William Waller;

"and the counties near London were ready to rise as one man, whereby the earl of Essex would be speedily enabled to march, with a better army than ever he had, to give the king battle, except this discourse of peace did extinguish the zeal that was then flaming in the hearts of the people."

But notwithstanding these reasons, and the passion in the delivery, the terror of the king's successes suggested answers enough. "They had been punished for breaking off the treaty of Oxford, when they might have had better terms than now they could expect; and if they omitted this opportunity, they should fare much worse; that they were not sure of aid from Scotland, neither was it almost possible it should come time enough to preserve them from the ruin at hand. And for the city of London, though the common and meaner sort of people, who might promise themselves advantage by it, desired the continuance of the distractions, yet it was evident the most substantial and rich men desired peace, by their refusal to supply money for the carrying on the war; and if they should judge of the common people by their forwardness to engage their own persons, they had reason to believe they had no mind to the war neither; for their general was forced to retire even under their own walls, for want of men to recruit his army. However, the sending reasonable propositions to the king would either procure a peace, and so they should have no more need of an army; or, being refused, would raise more men and money, than all their ordinances without it." These reasons and arguments prevailed; and after the debate had lasted till ten of the clock at night, it was resolved upon the question, and carried by nine and twenty voices, "That they should insist upon the propositions, and send to his majesty."

And without doubt, if they had then sent, (as, if the power had been in the two houses of parliament, they had done,) a firm peace had immediately ensued: for besides that if a treaty and cessation had been in that conjuncture entered upon, no extravagant demand would have been pressed, only a security for those who had been faulty, which the king would gladly have granted, and most religiously observed; the fourth proposition, and consent to restore all members to their places in parliament, would have prevented the kindling any more fire in those houses. But this was too well known to be suffered to pass; and therefore the next day, being Sunday, the seditious preachers filled all the pulpits with alarms of "ruin and destruction to the city, if a peace were now offered to the king;" and printed papers were scattered through the streets, and fixed upon gates, posts, and the most public places in the city and suburbs, requiring "all persons well affected to rise as one man, and to come to the house of commons next morning; for that twenty thousand Irish rebels were landed;" which information was likewise given that day in many pulpits by their preachers; and in other papers likewise set up, it was declared, "that the malignant party had overvoted the good, and, if not prevented, there would be a peace."

When the minds of the people were thus prepared, Pennington, their own lord mayor, though on Sunday, (on which they before complained the

king used to sit in council,) called a common council; where a petition was framed to the house of commons, taking notice "of propositions passed by the house of peers for peace, which if consented to, and allowed, would be destructive to religion, laws, and liberties; and therefore desired that house to pass an ordinance, according to the tenor of an act of their common council," (which they appointed to be annexed to their petition,) "which was for the vigorous prosecuting the war, and declining all thoughts of accommodation." With this petition, and such an attendance as those preparatives were like to bring, the lord mayor himself, who, from the time of his mayoralty, had forborne sitting in the house as a member, came to the house of commons, and delivered it, with such farther insinuations of the temper of the city, as were fit for the purpose; the people at the door behaving themselves as imperiously, and telling the members of both houses, as they passed by them, "that if they had not a good answer, they would be there the next day with double the number." The lords complained of the tumults, and sent to the commons to join with them in their suppression; instead whereof the commons (many of their body withdrawing for fear, and others by fear converted, or it may be by hope of prevailing) gave the city thanks "for their petition, advice, and courage;" and rejected the propositions for peace.

This raised a new contest in the city, which was not willing to lie under the perpetual brand of resisting and opposing peace, as they did of first raising the war. And therefore the wise and sober part of it would gladly have discovered how averse they were from the late act of the common council. But the late execution of Tomkins and Chaloner, and the advantage which was presently taken against any man who was moderately inclined, frightened all men from appearing in person to desire those things upon which their hearts were most set. In the end, the women expressed greater courage than the men; and having a precedent of a rabble of that sex, appearing in the beginning of these distractions with a petition to the house of commons, to foment the divisions, with acceptance and approbation, a great multitude of the wives of substantial citizens came to the house of commons with a petition for peace. Thereupon a troop of horse, under the command of one Harvey, a decayed silkman, who from the beginning had been one most confided in, were sent for; who behaved themselves with such inhumanity, that they charged among the silly women, as an enemy worthy of their courage, and killed and wounded many of them, and easily dispersed the rest. When they were by this means secured from farther vexation of this kind, special notice was taken of those members who seemed most importunate, and desirous of peace, that some advantage might be taken against them. Whereupon, they well discerning the danger they were in, many both of the peers and the commons first absented themselves from the houses, and then removed into those quarters where they might enjoy the protection of the king; and some of them came directly to Oxford.

Having diverted this torrent, which would have brought peace upon them before they were aware, they considered their strength, and applied themselves to the recovery of the spirits of their gene-



ral; whose indisposition troubled them more than any other distress they were in. To this cure they applied remedies of contrary natures, which would yet work to the same end. First they caressed sir William Waller with wonderful kindness and esteem; and as he was met upon his return to London, after the most total defeat that could almost be imagined, (for though few of his horse were killed upon the place, they were so ruinously dispersed, that of above two thousand, there were not three hundred gotten together again for their service,) with all the trained bands and militia of London, and received as if he had brought the king prisoner with him; so he was immediately chosen governor and commander in chief of the forces and militia of London, for the defence of the city; and it was now declared, "that they would forthwith supply him with a good body of horse" and foot, to take the field again, and relieve "their distressed friends in the west." Then another ordinance was passed to raise a vast army, under the command of the earl of Manchester, (who had been always steady to his first principles, and never a friend to any overture of accommodation,) in order to opposing the earl of Newcastle, and to take charge of all the associated counties; which were Essex, Hertford, Cambridge, Norfolk, Suffolk, Huntington, and (by a new addition) Lincoln; and for the speedy raising men to join to those who would voluntarily list themselves under these two beloved generals, there was an ordinance passed both houses for the pressing of men; which seemed somewhat to discredit their cause, that, after so much pretence to the hearts of the people, they should be now compelled to fight, whether they would or no; and was the more wondered at, because they had themselves procured the king's consent to an act this parliament, that declared it to be unlawful to press, or compel any of the free-born subjects to march out of the county in which they lived, if he were not willing so to do; and direction was given by other ordinances to press great numbers of men, to serve both under the earl of Manchester and sir William Waller; and having thus provided for the worst, and let the earl of Essex discern, that they had another earl to trust to, and more generals than one at their devotion, they sent a formal committee of both houses to him, to use all imaginable art, and application to him, to recover him to his former vigour, and zeal in their cause. They told him "the high value" the houses had of the service he had done, and "the hazards, dangers, and losses he had for their sakes undergone: that he should receive as ample a vindication for the calumnies and aspersions raised on him, as he could desire, from the full testimony and confidence of the two houses; and if the infamous authors of them could be found, their punishment should be as notorious as their libels: that no other forces should be recruited till his were made up; and that all his soldiers' arrears should be paid, and clothes presently sent for his foot."

Whether these reasons, with the jealousy of the earl of Manchester, upon whom he plainly saw the violent party wholly depended, or the infusions poured into him by the lord Say and Mr. Pym, of the desperateness of his own condition, with an opinion, by the conclusions upon the differences between the two princes and the marquis of Hertford, that the marquis's services were not enough

valued by the king, (which many desired should be thought to have then some influence upon the earl,) or whether he had not courage enough to engage in so hazardous an enterprise, he grew insensibly altered from his moderate inclinations, and desire of peace; for it is most certain, that as the confidence in him gave many lords the spirit to appear champions for peace, who had been before as solicitous against it, so the design was then the same, which hath been since prosecuted, with effect, to a worse purpose, [that is,] for the members of both houses who were of one mind, upon that signal riot, and compelling the house of commons to renounce their former resolution of propositions to the king, to have gone to the earl of Essex, and there, under the security of their own army, to have protested against the violence which was offered, the breach of their privileges by the common council's taking notice of their counsels, and overruling their conclusions, and to have declared their want of freedom: by means whereof, they made no doubt to have drawn the houses to consent to such an agreement as the king would well have approved of; or to have entered upon such a treaty themselves with the king, as all the moderate part of the kingdom would have been glad to be comprehended under.

But this staggering in their general frustrated that design, and put them to other resolutions; and so, having rendered themselves very ungracious in the houses, and possibly suspecting the earl of Essex might discover some of their overtures, many of the lords left the town, and went either directly to Oxford, or into the king's quarters; the earl of Portland, and the lord Lovelace, (of whose good affections to his service the king had always assurance, and who had only stayed there, as at a place where they might do him more service, than any where else,) directly to Oxford; and the lord Conway shortly after them; the earl of Clare into Worcestershire, and from thence, by the king's free acceptance, to Oxford; there being no other objection against his lordship, than his staying so long amongst them; but his total differing with them in all their extravagances, he having no manner of relation to the court, rendered him to his majesty's opinion under a very good character. The earls of Bedford and Holland, not without some difficulty, their purpose being discovered or suspected, got into the king's garrison at Wallingford, from whence the governor gave advertisement of their arrival; the earl of Northumberland, with the leave of the house, retired for his health to his house at Petworth in Sussex; which though it was in a county entirely then at the parliament's devotion, yet it was near enough to be infested from some of the king's quarters, if he had not some assurance of being safe there.

The violent party carried now all before them, and were well contented with the absence of those who used to give them some trouble and vexation. For the better strengthening themselves with the people, they ordered the divines of the assembly to repair into the country to their cures, especially in the counties of the association under the earl of Manchester, to stir up the people, with all their eloquence, to rise as one man against their sovereign; and omitted nothing within their power, which might contribute to the raising men or money; being not a little joyed, when they understood the king had given them more time than



they expected, to compose all disorders and divisions among themselves, by his staying with his army before Gloucester; which was the greater blessing, and preservation to them, because at the same time there were sudden insurrections in Kent against their ordinances and jurisdiction, in defence of the known laws, and especially of the Book of Common Prayer; which, if the king's army had been at any distance to have countenanced, they would never have been able to suppress.

The fame of all these distractions and disorders at London exceedingly disposed men in all places to reproach his majesty's stay before Gloucester; his friends at London desiring that his majesty should march directly thither, to take the advantage of those distractions; and the lords of the council at Oxford, upon the intelligence and advice from thence, were very solicitous that the king would take that resolution, to which he was himself enough inclined. But his condition was believed to be, in both places, better than it was; and that he had now a victorious army, without an enemy to restrain his motion: whereas, in truth, it was a miserable army, lessened exceedingly by the losses it sustained before Bristol; and when that part of it was marched with prince Maurice into the west, and which could not have marched any other way, the king had not much above six thousand foot to march with, though he left none at Bristol, but obliged the lord Hopton to garrison it as he could, which he shortly did; and that would have appeared a very small army to have marched towards London; though it is true the horse was a noble body, and superior in number to that of the foot.

There was likewise another circumstance, that few men were then acquainted with: upon the first news of the taking of Bristol, his majesty, before he left Oxford, had sent an express to the earl of Newcastle, who was then engaged before Hull, "that if he found the business of Hull to be more difficult than he expected, he should leave it blocked up at a distance, which might restrain excursions into the country, and march with his army into the associated counties;" which comprehended Norfolk, Suffolk, Cambridgeshire, and Essex, which had associated themselves, by some agreement, to serve the parliament; though the better part of all those counties, especially of the two greater, were most affected to the king, and wished for an opportunity to express it; and if the earl would bring his army through those counties towards London, his majesty would then resolve, with his own, to march towards it on the other side. And in the very time that his majesty came before Gloucester, and before he took the resolution to sit down before it, that express returned from the earl of Newcastle, who informed him, "that it was impossible for him to comply with his commands, in marching with his army into the associated counties, for that the gentlemen of the country, who had the best regiments, and were among the best officers, utterly refused to march, except Hull were first taken; and that he had not strength enough to march and to leave Hull securely blocked up;" which advertisement, with the consideration before mentioned, of the enlarging his quarters by the taking of Gloucester, and the concurrence of all the officers, that it would speedily be taken, produced that resolution of attempting it, notwithstanding that

the queen herself writ so importunately against it, that his majesty thought it necessary to make a journey himself to Oxford, to convince her majesty, and to compose some distempers which were risen among his council there, upon the news of the arrival of some of the lords mentioned before in those quarters.

The king was newly set down before Gloucester, when the governor of Wallingford sent notice to Oxford, of the arrival of those two earls; to whom the lords of the council returned direction, "that they should stay there, till the king's pleasure was understood;" to whom the secretary had sent the information, and desired his majesty's will concerning their reception. The king well knew, any order he should give in it would be liable to many objections, and he had not so good an inclination to either of them, as to run any inconvenience for their sakes; the earl of Bedford having served in person against him, as the general of the rebels' horse; and the earl of Holland, in the king's opinion, having done worse. And therefore his majesty commanded, "that his privy-council should debate the matter among themselves, and present their opinion and advice to him; and he would then determine what kind of entertainment they should have." The opinions at the board were several; some thought, "that his majesty should receive them very graciously, and with all outward expressions of his acceptance of their return to his service; and that the demeanour of all others to them should be such, as might make them think themselves very welcome, without the least taking notice of any thing formerly done amiss by them; which would be a great encouragement to others to come away too: so that the numbers and quality of those who stayed behind would probably in a short time be so small, that they would have no reputation in the kingdom to continue the war." Many differed diametrically from this: and were so far from thinking this advice agreeable to the dignity or security of the king, that they thought it not fit "to admit them presently to the king's or queen's presence, till, by their good carriage and demeanour, they should give some testimony of their affections: they had both taken the late covenant, of which one clause was, to assist the forces raised by the parliament, against the army raised by the king; with many reproaches, and known scandals upon that army. If they had felt a true remorse of conscience for the ill they had done, they would have left that party, when that covenant was to be imposed upon them; which since they did not, that they came now was to be imputed rather to the king's success, and the weakness of that power which they had hitherto served, than to any reformation of their understanding, or improvement of their allegiance: and that it was great reason, that they who had given such arguments of just jealousy and suspicion of themselves, should raise a confidence in their loyalty and affection by some act equal to the other; and therefore that none who had taken that covenant should be admitted to the presence of the king, queen, or prince, before he had taken some other oath or covenant, declaring an equal hatred and abhorring of the rebellious arms which were taken up against his majesty, and the counsels by which they were taken up."

It was said, "that the good or ill reception of these lords could have no influence upon the actions or deliberations at Westminster, or London, or any considerable persons there: that they were but single men, without any considerable dependence upon them. Whilst they had reputation and interest enough to do good or hurt, and the king's condition needed their attendance, they chose to be engaged against him; but now, when they were able to do him no more harm, they came to receive benefit and advantage from him: that it was a common argument men used to allege to themselves for their compliance with, and submission to, the commands of the parliament; that, if they did otherwise, their severity and rigour was so great, that they and their families were sure to be ruined; but, if the king prevailed, he was gracious and merciful, and would remit their offences, whensoever they cast themselves at his feet; which presumption if they should see confirmed in this example, it would make the observation of conscience and loyalty of no price, and encourage those who were risen against him, and exceedingly dishearten those who had been honest and faithful from the beginning: that there could ensue no inconvenience from any reservedness and coldness towards them; for they durst not return to London, having now made themselves odious to that party, and had no hope but from the acceptance of his majesty; which they should merit before they found." There was a third opinion between these extremes, that they should be neither courted nor neglected, but be admitted to kiss the king's and queen's hands, and to dispose themselves as they thought fit; and so to leave the rest to their future demeanour;" and to resolve which of these opinions to follow, was another motive for his majesty's sudden journey to Oxford.

The king found greater alterations in the minds and spirits at Oxford, than he expected after so much great success as had befallen him; and that success was it, that had made the alteration; it being the unlucky temper of that place, and that company, to be the soonest and the most desperately cast down upon any misfortune or loss, and to be again, upon any victory, the most elated, and the most apt to undervalue any difficulties which remained. The taking Bristol had so possessed them with joy, that they thought the war even at an end, and that there was nothing left to be done, but to take possession of London; which they were assured would be delivered to them upon demand. Many members of both houses were come to Oxford, which assured them, "the violent people there were even in despair; and after the news came of the surrender of Bristol, that they had only kept up their spirits [in hopes] that the king would engage his army in the siege of Gloucester, which some of them had seemed to promise their friends would be the case:" from whence they would infer, "that the king was betrayed, and that they who had persuaded him to undertake that design were corrupted by the parliament." And the envy and jealousy of all this fell upon sir John Colepepper, who was indeed of the opinion for the siege, but, without doubt, how much soever he suffered at that time, and afterwards, under that reproach, he believed there was very good reason for that engagement,

and was most free from any corrupt end, and of most sincere fidelity.

This discourse and imagination had made wonderful impression upon the queen; who was inflamed with a jealousy that there was a design to lessen her interest in the king, and that prince Rupert was chief in that conspiracy, and meant to bring it to pass by keeping the king still in the army, and by hindering his coming to Oxford: and out of this apprehension the queen had written so warmly and concernedly to the king, who was the most incapable of any such apprehensions, and had her majesty in so perfect an adoration, that as soon as he received that letter, without delay he came to Oxford, and quickly composed those mistakes; though the being engaged before Gloucester was still very grievous, and reproaches were publicly cast upon those who gave the advice.

But that which took up most of the time of that one day that the king stayed at Oxford, was concerning the two lords who were retained at Wallingford; which had been agitated in the council with great passion before the king's coming. The king caused the council to meet the next morning, and asked their advice, "whether the earls of Bedford and of Holland should be admitted to come into Oxford, or obliged to return from whence they came? or, if admitted, how they should be received, or countenanced by their majesties?" And it cannot be enough wondered at, that there should be any difference of opinion in that matter; but it cannot be expressed, with how much earnestness and unreasonableness the whole was debated, and how warmly even they, who in all other debates still expressed all moderation and temper, did now oppose the receiving these lords with any grace, with more passion, and other reasons, than had been offered in their former conferences; so that there was scarce known such an union in opinion at that board, in any thing, where disunion was very inconvenient.

All exaggerated "the carriage and foul ingratitude of the earl of Holland, from the beginning of the parliament; and the earl of Bedford's being general of the horse in the earl of Essex's army; and now when the parliament was low, and they had lost their credit and interest there, they were come to the king, whom they had so much offended; and expected to be as much, it may be, more made of, than they who had borne the heat of the day; which would so much reflect upon the king's honour, that men would be exceedingly discouraged to serve him." Some moved, "that they might be detained, and kept prisoners of war, since they came into the king's quarters without any pass;" others as plainly and more vehemently pressed, "that they might not be suffered to come to Oxford, or where the king or queen should be; but permitted to live in some other place within the king's quarters, until they should manifest their affections by some service." They who thought this too severe and unpolitic, proposed "that they might be suffered to come to Oxford, that thereby they might be kept from returning to the parliament," (which appeared to most to be liable to many exceptions,) "but that being at Oxford, they should not come to court; and that no privy-counsellor should visit them."

In this whole debate, the chancellor of the exchequer, who seldom spoke without some earnest-

ness, was the only man (except another, who brought no credit to the opinion, the lord Savile) who advised confidently, "that they might be very graciously received by both their majesties, and civilly be visited and treated by every body; that other men might, by the entertainment they received, be encouraged to desert the parliament too." He said, "it would be too great a disadvantage to the king, and to his cause, that whilst the parliament used all the industry and artifices, to corrupt the duty and affection of the subject, and had their arms open to receive and embrace all, who would come to them, his majesty should admit none to return to him, who had been faulty, or not come so soon as they ought to have done; that if the king had a mind to gratify and oblige the parliament, he could not do it more to their hearts' desire, than by rejecting the application of these lords, or suffering it to pass unregarded." There was one argument against their admission urged very loudly, "that it would disturb the peace of the place;" the earl of Bedford had commanded that part of the army, which infested the marquis of Hertford, at his being at Sherborne, when the marquis had sent Harry Seymour, as is mentioned before, with a challenge to the earl to fight with him; which the earl reasonably declined at that time; and said, "he would be ready, when the business of the parliament should be over, to wait upon the marquis when he should require it." And some men, who were near enough to the marquis's counsels, undertook to know, that if the earl of Bedford should be in Oxford, the marquis, who was every day expected, would exact the performance of his promise; which sure he was too wise to do.

The king, during the whole debate, did not express any thing of his own sense, save that he seemed well pleased with any sharpness that was expressed towards the earl of Holland. He said, "that he was bound to his good behaviour, by being under the common reproach of inclining too much to those who had used him worst; of which he would not be guilty;" however, he did not think, at this time, that it would be good to make any persons desperate; and therefore gave order, "that the governor of Wallingford should permit them to continue their journey to Oxford; where all men might use what civilities they pleased to them; and that himself and the queen would do that towards them, which, upon their application and address, they should think fit;" and though this determination was given, without the least discovery of grace towards the persons of those lords, and not without some reflections of prejudice towards them, it was not grateful to the table; which was evident enough by their countenance. The next morning the king returned to the army.

There had been, as is said, very great divisions in the counsels at Westminster, from the time of the treaty, and the very abrupt breaking of it; and the earl of Northumberland, resenting the affront done to him by Martin, had increased those divisions; and the ill successes afterwards in the defeat of Waller, and the taking of Bristol, had given every man courage to say what he would. And then the proceeding upon Mr. Waller's discovery, and obliging all men to take a desperate engagement, which they durst not refuse, for fear of being

declared guilty of the plot, as many of them were, incensed very many: but above all, the prosperity of the king's affairs made every body wish to come into his quarters. A great number of the house of commons, who were known always to wish well, came to Oxford: and of the peers, the earl of Portland, who was always very faithful to the king, and had stayed in the house of peers by his majesty's leave, and had been accused by Mr. Waller to be privy to that design, upon which he had endured a long imprisonment, came at this time to Oxford, [as is said before,] together with the lord Conway, and the lord Lovelace; the former of which had been likewise questioned, and imprisoned, and the latter had been as knowing of the matter, and of constant duty to the king; and all three had gotten liberty and opportunity to come away by swallowing that vow, and oath, which could only set them free, and which they made haste to answer for to the king. The return of the earl of Essex to London in ill humour, had given opportunity to the earl of Holland, and the rest, who were weary of the work in hand, to inflame him to resentment of the neglects which had been put upon him, and the jealousies which were entertained of him. The earl of Bedford had given up his commission of general of the horse, and quitted the service, and never had any affection to their ways in his judgment, which was not great. The earl of Clare had been with the king at York, and had his leave to return to London, to intend his own particular affairs; and, during his stay, had never concurred in any malicious counsel against the king, but was looked upon as a man, not only firm to the principles of monarchy, but of duty to the person of the king. He was a man of honour, and of courage, and would have been an excellent person, if his heart had not been set too much upon the keeping and improving his estate; he was weary of the company he kept, and easily hearkened to the earl of Holland, in any consultation how to recover the king's authority, and to put an end to the war. The earl of Essex was, as is said before, enough provoked, and incensed, and willingly heard all the lords, and others, who inveighed against the violent proceedings of those who swayed the parliament, and differed not with them in his judgment of the men, and the matter: so that they believed that he would as readily be disposed to agree upon the remedy, as he did upon the disease.

Their end and design was, if they could draw him to a concurrence, that they, and all the rest of those who were accounted moderate men, that is who desired a peace, and to return to their duty to the king, (which was much the major part of both houses that remained at Westminster, after so many of both were gone to the king,) might all go to the army; and thereupon the general, and they, to write to the parliament together, and to send such propositions to them, as the parliament should transmit to the king, as the conditions of peace. If the king should refuse to consent to them, it would be an infallible way to unite all people to compel him to it: but if the parliament would refuse to transmit those propositions to the king, or to consent to a peace upon those conditions, they would then declare against them, for not adhering to the grounds upon which the war was first begun, and would join themselves to the king to force them to it. If this had been done in that conjuncture,

when the authority and credit of the earl of Essex was not yet eclipsed, and before an independent army was raised, which was shortly after done, it could not probably have failed of the success desired. But the earl was too scrupulous and too punctual to that which he called a trust; and this was too barefaced a separation for him to engage in: besides that he did believe, that he should be able to suppress that violent party by the parliament itself, and he thought that would bring all about which he desired; and so he did not only reject what was proposed to him, but expressed such a dislike of the earl of Holland for proposing it, that he thought it high time to get himself out of his reach. The earl of Holland, who always considered himself in the first place, had, from the time of the queen's landing, privately made offer of his service to the queen, and renewed his old confidence and friendship with Mr. Jermyn; and knowing well to enhance the value of his own service, made great promises of notable service; and Mr. Jermyn easily persuaded her majesty, "that it was much better for her to restore an old servant, whom she knew so well, to her confidence, (though he had stepped out of the way,) than to rely upon the fidelity of any of those who were now about the king, and who were all upon the matter strangers to her, at least not enough known by her;" and then, "that, by laying hold upon this opportunity, she would, at her first coming to the king, carry his restoration with her, possess herself of the whole frame of his business, because all other designs would be laid aside; and so all the good, which would redound to the king and kingdom from this new negotiation, must, by the consent of all the world, be attributed to her majesty's wisdom and conduct." And this appearing hopeful to her majesty, and all that had any thing of hope was by the other always looked upon as certain, the correspondence was embraced; and the earl assured not only to be restored to his former station in all respects, but to a title to new interest. And upon this encouragement and obligation, when he found he could not prevail with the earl of Essex, that the king's affairs prospered, and that Bristol was now taken, and the queen come to Oxford, he resolved himself to go thither, and prevailed with the earls of Bedford and Clare to do the like; he assuring them, that they should be very well received. The earl of Clare made his journey by himself, out of the common road, and came without any interruption into Oxford, at the time appointed: the earls of Bedford and Holland came together to Wallingford, as is mentioned. The earl of Northumberland, who was naturally suspicious, went to his own house at Petworth in Sussex; by which he thought he shewed aversion enough to the counsels at Westminster, and would keep it in his own power to return, if he found that the reception of the other lords at Oxford was not answerable to their expectation; besides that he would expect the result of the lord Conway's negotiation, who was more trusted by him than any other.

The leave for the two earls to come from Wallingford to Oxford, was declared but the night before the king returned to the army; and was not sent thither till the next day. So that the lords came not to Oxford till two days after, much mortified with the time they had been forced to spend

at Wallingford, and with the disputation they heard had been held concerning them; of which they had received so particular information, that the earl of Holland writ a very civil letter to the chancellor [of the exchequer] before he came to Oxford, taking notice of "the affection he had shewed to him in his advice to the king." Both of them had friends enough there to provide for their accommodation in convenient lodgings: so that the one had a lodging at Magdalen college in Oxford, of which house he had formerly been a member; the other lay in Balliol college, where he had a daughter, who spared him part of her lodgings. But for any application to them by the lords, or persons in authority there, they had no reason to think themselves very welcome. They went, in the first place, to do their duties to the queen; who received them coldly enough, not out of disinclination, or willingness enough to shew them any countenance, but pure compliance with the ill humour of the town, which she detested: nor did Mr. Jermyn, who still valued himself upon the impossible faculty to please all, and displease none, think fit to deal clearly with them in that point, (having, no doubt, said more in his letters of correspondence and advice, than he had authority to do; it being his custom to write and speak what was most grateful to the persons;) so that the earl of Holland, with whom alone the correspondence had been, began to think himself betrayed, and invited to Oxford only to be exposed to contempt. He came one morning to visit the chancellor of the exchequer, when there were the lord Cottington, and two or three other privy-counsellors with him, who all went presently away, without so much as saluting him: which offended the chancellor as much as it did him, and in truth obliged him to more ceremony and civility, than, it may be, he would otherwise have exercised; and he did visit him again, and make all professions and offers of kindness and service to him; which he did very heartily; and complied therein, not only with his own inclinations, but with his judgment, as very important to the king's service; and did all he could to induce others to be of the same opinion; in which he had no great success.

The intelligence from London brought, every day, the resolution of the parliament, "to relieve Gloucester;" and that, if their levies did not supply them with men soon enough, the trained bands of the city would march out with the general for that service; whereupon the three earls, Bedford, Holland, and Clare, after some days' stay in Oxford, thought it necessary to offer their service to the king in the army, and to bear their part in any danger that might happen by an engagement between the armies; and so went together to Gloucester; where the king received them without any disrespect, and spoke with them as they gave him occasion.

Whilst the king continued before Gloucester, his forces in the west moved with a full gale and tide of success. The earl of Carnarvon marched with the horse and dragoons, being near two thousand, into Dorsetshire, two days before prince Maurice moved with his foot and cannon from Bristol, and had made a fair entrance upon the reduction of that whole county, before his highness overtook him; and it was thought then, that, if the prince had marched more slowly, he had perfected that work. Upon the surrender of Bristol,

many of the gentlemen, and others of that county, who were engaged in that city for the parliament, had visited their houses and friends, in their journey to London, whither by their safe conduct they went, and had made such prodigious discourses of the fierceness and courage of the cavaliers, (as most men who run away, or are beaten, extol the power of the enemy which had been too hard for them,) that resisting them begun to be thought a matter impossible. One Mr. Strode, a man much relied on in those parts, and of a good fortune, after he had visited his house, took Dorchester in his way to London, and being desired by the magistrates, "to view their works and fortifications, and to give his judgment of them;" after he had walked about them, he told them, "that those works might keep out the cavaliers about half an hour;" and then told them strange stories of the manner of assaulting Bristol; "and that the king's soldiers made nothing of running up walls twenty foot high, and that no works could keep them out;" which he said not out of any purpose to betray them, (for no man wished the king's army worse success,) but had really so much horror and consternation about him, and the dreadful image of the storm of Bristol imprinted in his mind, that he did truly believe, they had scaled all those forts and places which were delivered to them; and he propagated this fear and trepidation so fruitfully where he came, that the earl of Carnarvon came no sooner near Dorchester with his horse and dragoons, (which, it may be, was understood to be the van of the victorious army which had taken Bristol,) but the town sent commissioners to him to treat; and upon articles of indemnity, that they should not be plundered, and not suffer for the ill they had done, delivered up the town, (which was strongly situated, and might very well have been defended by the spirits of these people, if they had courage equal to their malice; for a place more entirely disaffected to the king, England had not,) with all their arms, ammunition, and ordnance. The fame of the earl's coming had before frightened sir Walter Earl, who had for a long time besieged Corfe castle, (the house of the lord chief justice Banks, defended by his lady with her servants, and some few gentlemen, and tenants, who betook themselves thither for her assistance, and their own security,) from that siege; and he making more haste to convey himself to London, than generals use to do, who have the care and charge of others, his forces were presently dispersed. And now the surrender of Dorchester (the magazine from whence the other places were supplied with principles of rebellion) infused the same spirit into Weymouth, a very convenient harbour and haven: and that example again prevailed on the island and castle of Portland, (a place not enough understood, but of wonderful importance,) to all which the earl granted fair conditions, and received them into his majesty's protection.

Hither prince Maurice came now up with his foot and cannon, and neglecting to follow the train of the enemy's fears to Lyme and Poole, the only two garrisons then left in their possession, stayed with his army about Dorchester and Weymouth some days, under the notion of settling and disposing the government of those garrisons. Here the soldiers, taking advantage of the famous malignity of those places, used great license; neither was there care taken to observe those articles

which had been made upon the surrender of the towns; which the earl of Carnarvon, who was full of honour and justice upon all contracts, took so ill, that he quitted the command he had with those forces, and returned to the king before Gloucester; which published the injustice with the more scandal. Whether this license, which was much spoken of, and, no doubt, given out to be greater than it was, aliened the affections of those parts; or whether the absence of the marquis of Hertford from the army, which was not till then taken notice of, begot an apprehension that there would not be much lenity used towards those who had been high and pertinacious offenders; or whether this army, when it was together, seemed less formidable than it was before conceived to be, or that the terror, which had possessed and seized upon their spirits, was so violent that it could not continue, and so men grew less amazed, I know not: but those two small towns, whereof Lyme was believed considerable, returned so peremptory a refusal to the prince's summons, that his highness resolved not to attack them; and so marched to Exeter, where he found all things in better order, and that city more distressed, than he had reason to expect, by the diligence and dexterity of sir John Berkley, who being sent from Wells by the marquis of Hertford, as is before remembered, to govern the affairs of Devonshire, with one regiment of horse, and another of new levied and half-armed foot, had so increased his numbers by the concurrence of the gentlemen of that county, that he fixed strong quarters within less than a mile of the city, and kept his guards even to the gates; when the earl of Stamford was within, with a strength at least equal in number to the besiegers.

The parliament commended the relief of this place, by special instructions, to their admiral, the earl of Warwick; who after he had made show of landing men in several places upon the coast, and thereby compelled sir John Berkley to make quick and wearisome marches with horse and dragoons from place to place, the wind coming fair, the fleet left those who attended their landing about Totness, turned about, and with a fresh gale made towards the river, that leads to the walls of Exeter; and having the command of both sides of the river, upon a flat, by their cannon, the earl presumed that way he should be able to send relief into the city: but the admirable diligence and providence of sir John Berkley had fortunately cast up some slight works upon the advantageous nooks of the river, in which his men might be in some security from the cannon of the ships; and made great haste with his horse to hinder their landing; and so this attempt was not only without success, but so unfortunate, that it discouraged the seamen from endeavouring the like again. For after three or four hours pouring their great shot, from their ships, upon the land forces, the tide falling, the earl of Warwick fell off with his fleet, leaving three ships behind him, of which one was burnt, and the other two taken from the land, in view of his whole fleet; which no more looked after the relief of Exeter that way.

But whilst all the king's forces were employed in the blocking up the town, and attending the coast, to wait upon the earl of Warwick, the garrison of Plymouth increased very fast, into which the fleet disburdened themselves of all they could spare; and the north parts of Devonshire gathered

space into a head for the parliament; Barnstable and Bediford being garrisoned by them; which having an uninterrupted line of communication with Plymouth, resolved to join their whole strength, and so to compel the enemy to draw off from the walls of Exeter, which had been very easy to have been done, if they in the city had been as active for their own preservation. Sir John Berkley having notice of this preparation and resolution, sent colonel John Digby (who had, from their first entrance into Cornwall, commanded the horse) with his own regiment of horse, and some loose troops of dragoons, into the north of Devon, to hinder the joining of the rebels' forces. He chose Torrington for his quarter, and within few days drew to him a troop of new-raised horse, and a regiment of foot, raised by his old friends in Cornwall; so that he had with him above three hundred horse, and six or seven hundred foot. Those of Bediford and Barnstable, being superior in number, and apprehending that the king's successes eastward might increase his strength and power there, and weaken theirs, resolved to try their fortune; and joining themselves together, to the number of above twelve hundred foot, and three hundred horse, under the command of colonel Bennet, hoped to surprise colonel John Digby at Torrington; and he was upon the matter surprised: for albeit he had notice in the night from Barnstable, "that the forces drew out thence to Bediford in the night, and that they intended to fall on his quarters early in the morning;" and thereupon he put himself into a posture to receive them, and drew up all his forces together out of the town, upon such a piece of ground, as, in that enclosed county, could be most advantageous for his horse, having, through all the little enclosures, cut gaps, through which his horse might enter; yet, after he had attended their coming till noon, and heard no more of them, and his small parties, which were sent out to inquire, returned with assurance, that there was no appearance of an enemy, he believed they had given over their design; and so dismissed his horse to their several quarters, reserving only one hundred and fifty upon their guard, and returned himself into the town with the foot.

And within less than an hour, he received the alarm, "that the enemy was within half a mile of the town." The confusion was very great, so that he resolved not to draw the foot out of the town; but having placed them in the best manner he could, upon the avenues, himself went to the horse out of the town, resolving to wait upon the rear of the enemy; who were drawn up on the same piece of ground, on which he had expected them all the morning. The colonel, whose courage, and vivacity upon action, was very eminent, and commonly very fortunate, intended rather to look upon them, than to engage with them, before his other troops came up; but having divided his small party of horse, the whole consisting but of one hundred and fifty, into several parties, and distributed them into several little closes, out of which there were gaps into the larger ground, upon which the enemy stood, a forlorn hope of fifty musketeers advanced towards that ground where himself was; and if they [had] recovered the hedge, they would easily have driven him thence. And therefore, as the only expedient left, himself, taking four or five officers into the

front with him, charged that forlorn hope; which immediately threw down their arms, and run upon their own body, and carried so infectious a fear with them, that without making a stand, or their horse offering once to charge, the whole body routed themselves, and fled; colonel Digby following the execution with his horse, till their swords were blunted with slaughter, and his numbers overburdened with prisoners; though the foot out of the town hastened to the chase, as soon as they saw what terror had possessed their enemies.

In this action (for it cannot be called a battle; hardly a skirmish; where no resistance was made) there were near two hundred killed, and above two hundred taken prisoners; and those that fled contributed more to the victory, than the prisoners, or the slain, for they were scattered and dispersed over all the country, and scarce a man without a cut over the face and head, or some other hurt; that wrought more upon the neighbours towards their conversion, than any sermon could be preached to them. Some of the principal officers, and of their horse, got into Bediford and Barnstable; and not considering the inconvenience of acknowledging, that God was extraordinary propitious to the cavaliers, told strange stories of "the horror and fear that seized upon them, and that nobody saw above six of the enemy, that charged them;" which proved a greater dismay to their friends, than their defeat.

At this time came prince Maurice to Exeter, the fame of whose arrival brought a new terror, so that the fort at Appledore, which commanded the river to Barnstable and Bediford, being delivered to colonel Digby, within two or three days after his victory, those two towns shortly after submitted to his majesty, upon promise of pardon, and such other articles as were of course; which colonel Digby saw precisely observed, as far as concerned the towns in point of plunder, or violence towards the inhabitants. And this success so wrought upon the spirits and temper of that people, that all the persons of eminent disaffection withdrawing themselves, according to their liberty by the articles; colonel Digby, within very few days, increased his small party to the number of three thousand foot, and eight hundred horse; with which he was by prince Maurice ordered to march to Plymouth, and to block up that place from making incursions into the country.

The loss of all their garrisons on the north coast, and despair of succour or relief from any other place, prevailed with the earl of Stamford, and that committee in Exeter, (to whom the earl was not superior,) to treat with the prince; and thereupon articles were agreed to; and that rich and pleasant city was delivered on the fourth of September, which was within fourteen or sixteen days after prince Maurice came thither, into the king's protection, after it had suffered no other distress, or impression from the besiegers, than the being kept from taking the air without their own walls, and from being supplied from the country markets.

There was an accident fell out a little before this time, that gave new argument of trouble to the king, upon a difference between prince Maurice and the marquis. The earl of Carnarvon, who was general of the horse of the western army, had marched from Bristol the day before the prince,

and had taken Dorchester and Weymouth, before his highness came up to the army, both considerable places, and the seats of great malignity. The former was not thought necessary to be made a garrison; but the latter was the best port town of that country, and to be kept with great care. The marquis had made some promise of the government thereof, when it should be taken, (of which they made no doubt,) to sir Anthony Ashley Cooper, a young gentleman of that country, of a fair and plentiful fortune, and one, who, in the opinion of most men, was like to advance the place by being governor of it, and to raise men for the defence of it, without lessening the army; and had, in expectation of it, made some provision of officers and soldiers, when it should be time to call them together. Prince Maurice, on the other side, had some other person in his view, upon whom he intended to confer that charge, when it should fall. In the moment that the town was taken, and before the prince came thither, sir Anthony, hearing that the marquis came not with the army, but remained some time at Bristol, made all the haste he could to him, and came thither the same day the king left it; and applied himself to the marquis, who remembered his promise, and thought himself obliged to make it good, and that it was in his power so to do, since it appeared, that the town was taken before the king had declared to him, that he should not go to the army; till when he ought to be looked upon as general of it. He conferred with the chancellor [of the exchequer] upon it, as a matter in which his honour was concerned, and on which his heart was set. And sir Anthony came likewise to him, who was of his acquaintance, and desired his assistance, "that, after so much charge he had been put to, in the expectation of it, and to prepare for it, he might not be exposed to the mirth and contempt of the country." It was evident, that if he returned with the commission from the marquis, (which he was most inclined to give him,) both he and the commission would be affronted, and the town would not be suffered to submit to him. Therefore the chancellor was of opinion, that there was no way but to appeal to the king, and desire his favour, as well as his justice, in giving his commission to the person designed by the marquis; which would remove that part of the exception, which would most trouble the prince; and he offered to write himself very earnestly to the king. And besides his desire to gratify the marquis, he did in truth believe it of great importance to his majesty's service, to engage a person of such a fortune and interest, so thoroughly in his quarrel, as he then believed such an obligation must needs do; the flexibility and instability of that gentleman's nature not being then understood, or suspected.

He did write, with all the skill and importunity he could use, to the king; and wrote to the lord Falkland, "to take sir John Colepepper with him, if he found any aversion in the king, that they might together discourse, and prevail with him." But his majesty positively and obstinately refused to grant it; and said, "he would not, to please the marquis in an unjust pretence, put a public disobligation and affront upon his nephew." So the express returned without effect, and the marquis was as sensibly touched as could be imagined; and said, "that he was fallen from any degree of

"credit with the king, and was made incapable of doing him farther service; that his fidelity should never be lessened towards him," (as in truth he was incapable of a disloyal thought,) "but since he was become so totally useless to the king, and to his friends, he hoped his majesty would give him leave to retire to his own house; where, he doubted not, he should be suffered to live privately and quietly, to pray for the king." The chancellor knew well the nature of the marquis, which would never give him leave to pursue any resolution which he found might prove inconvenient to his majesty, for whom he had all possible duty; yet he knew too, that the mischief was not small, from the observation that the marquis thought himself ill used, and that there were too many who would take the opportunity to foment those jealousies and discontents; and therefore resolved (having despatched all things which were incumbent on him at Bristol, and used all freedom to the marquis, for the dispelling all troublesome imaginations) to go himself to the king, and to represent that affair to him, and the probable consequences of it, with new instances. And at last, with very great difficulty, he did so far prevail with his majesty, that he gave a commission to sir Anthony Ashley Cooper, to be governor of Weymouth; which he was the more easily persuaded to, out of some prejudice he had to the person, who, he understood, was designed to that government. However, the marquis received it as a seasonable act of favour to himself, and, in a short time after, came from Bristol to Oxford, to attend upon his majesty according to his command.

At Gloucester the business proceeded very slowly: for though the army increased wonderfully there, by the access of forces from all quarters, yet the king had neither money nor materials requisite for a siege, and they in the town behaved themselves with great courage and resolution, and made many sharp and bold sallies upon the king's forces, and did more hurt commonly than they received; and many officers of name, besides common soldiers, were slain in the trenches and approaches; the governor leaving nothing unperformed that became a vigilant commander. Sometimes, upon the sallies, the horse got between the town and them, so that many prisoners were taken, who were always drunk; and, after they were recovered, they confessed, "that the governor always gave the party that made the sally, as much wine and strong water as they desired to drink;" so that it seems their mettle was not purely natural; yet it is very observable, that, in all the time the king lay there with a very glorious army, and after the taking of a city of much greater name, there was no one officer run from the town to him, nor above three common soldiers, which is a great argument, the discipline within was very good. Besides the loss of men before the town, both from the walls, and by sickness, (which was not greater than was to be reasonably expected,) a very great license broke into the army, both among officers and soldiers; the malignity of those parts being thought excuse for the exercise of any rapine, or severity among the inhabitants. Insomuch as it is hardly to be credited, how many thousand sheep were in a few days destroyed, besides what were brought in by the commissaries for a regular provision; and many



countrymen imprisoned by officers without warrant, or the least knowledge of the king's, till they had paid good sums of money, for their delinquency; all which brought great clamour upon the discipline of the army, and justice of the officers, and made them likewise less prepared for the service they were to expect.

In the mean time nothing was left at London unattempted, that might advance the preparation for the relief of Gloucester. All overtures of peace were suppressed, and the city purely at the devotion of those who were most violent, who had put one compliment upon them at this time, that is not to be passed over. It is remembered before, that, at the beginning of these distractions, before the king's going into the north, his majesty had, upon the reiterated importunity of the two houses, made sir John Coniers lieutenant of the Tower of London; who was a soldier of very good estimation, and had been the lieutenant general of his horse in that last preparation against the Scots, and governor of Berwick. The parliament thought, by this obligation, to have made him their own creature, and desired to have engaged him in some active command in their armies, having the reputation of one of the best officers of horse of that time. But he warily declined that engagement, and contained himself within the limits of that place, which, by the multitude of prisoners, sent to the Tower by the two houses, and the excessive fees they paid, yielded him a vast profit; in the administration whereof he was so impartial, that those prisoners who suffered most for his majesty, found no more favour or indulgence from him than the rest. About this time, either discerning that they grew to confide less in him than they had done, and that he must engage himself in their service, or should shortly lose the benefit of their good opinion, or really abhorring to be so near those actions he saw every day committed, and to lie under the scandal of keeping his majesty's only fort which he could not apply to his service, he desired leave from the houses, "to go into Holland," where his education had been, and his fortune was, without obliging himself to a time of return. The proposition was not unwelcome to the houses; and thereupon they immediately committed that charge, the custody of the Tower of London, to the lord mayor Pennington; that the city might see they were trusted to hold their own reins, and had a jurisdiction committed to them which had always jostled with their own. And this compliment served to a double purpose; for thereby, as they made the city believe they had put themselves under their protection, so they were sure they had put the city under the power, or under the apprehension of the power of him, who would never forsake them out of an appetite to peace.

The earl of Essex now declared, that he would himself undertake the relief of Gloucester, whereas before sir William Waller was designed to it, and, whencesoever it proceeded, was returned to his old full alacrity against the king, and recovered those officers and soldiers again to him, who had absented by his connivance, or upon an opinion that he would march no more; yet his numbers increased not so fast as the occasion required: for colonel Massy found means to send many messengers out of the town, to advertise the straits he was in, and the time that he should be able to hold out. Their ordinance of pressing, though executed with un-

usual rigour, insomuch as persons of good fortunes, who had retired to London, that they might be less taken notice of, were seized on, and detained in custody, till they paid so much money, or procured an able man to go in their places, brought not in such a supply as they expected; and such as were brought in, and delivered to the officers, declared such an averseness to the work to which they were designed, and such a peremptory resolution not to fight, that they only increased their numbers, not their strength, and run away upon the first opportunity. In the end, they had no other resort for men, but to those who had so constantly supplied them with money, and prevailed with their true friends, the city, which they still alarmed with the king's irreconcilableness to them, to send three or four of their trained-band regiments, or auxiliaries, to fight with the enemy at that distance, rather than to expect him at their own walls, where they must be assured to see him as soon as Gloucester should be reduced; and then they would be as much perplexed with the malignants within, as with the enemy without their city.

Upon such arguments, and the power of the earl of Essex, so many regiments of horse and foot as he desired were assigned to march with him; and so, towards the end of August, he marched out of London; and having appointed a rendezvous near Aylesbury, where he was met by the lord Grey, and other forces of the associated counties, from thence he marched by easy journeys towards Gloucester, with an army of about eight thousand foot, and four thousand horse. It would not at first be credited at the leaguer, that the earl of Essex could be in a condition to attempt such a work; and therefore they were too negligent upon the intelligence, and suspected rather that he would give some alarm to Oxford, where the queen was, and thereby hope to draw the army from Gloucester, than that in truth he would venture upon so tedious a march, where he must march over a campaign near thirty miles in length, where half the king's body of horse would distress, if not destroy his whole army, and through a country eaten bare, where he could find neither provision for man nor horse; and if he should, without interruption, be suffered to go into Gloucester, he could neither stay there, nor possibly retire to London, without being destroyed in the rear by the king's army, which should nevertheless not engage itself in the hazard of a battle. Upon these conclusions they proceeded in their works before Gloucester, their galleries being near finished, and visibly a great want of ammunition in the town; yet the lord Wilmot was appointed, with a good party of horse, to wait about Banbury, and to retire before the enemy, if he should advance towards Gloucester, and to give such impediments to their march, as in such a country might be easy to do; prince Rupert himself staying with the body of horse, upon the hills above Gloucester, to join, if the earl of Essex should be so hardy as to venture.

The earl came to Brackley, and having there taken in from Leicester and Bedford, the last recruits upon which he depended, he marched steadily all over that campaign, which they thought he feared, towards Gloucester; and though the king's horse were often within view, and entertained him with light skirmishes, he pursued his direct way; the king's horse still retiring before him, till the foot was compelled to raise the siege, in more dis-



order and distraction than might have been expected; and so with less loss, and easier skirmishes, than can be imagined, the earl, with his army and train, marched to Gloucester; where he found them reduced to one single barrel of powder; and all other provisions answerable. And it must be confessed, that governor gave a stop to the career of the king's good success, and from his pertinacious defence of that place, the parliament had time to recover their broken forces, and more broken spirits; and may acknowledge to this rise the greatness to which they afterwards aspired.

The earl of Essex stayed in that joyful town (where he was received with all possible demonstrations of honour) three days; and in that time, which was as wonderful as any part of the story, caused all necessary provisions to be brought in to them, out of those very quarters in which the king's army had been sustained, and which they conceived to be entirely spent: so solicitous were the people to conceal what they had, and to reserve it for them; which, without a connivance from the king's commissaries, could not have been done. All this time the king lay at Sudley castle, the house of the lord Chandos, within eight miles of Gloucester, watching when that army would return; which, they conceived, stayed rather out of despair than election, in those eaten quarters; and, to open them a way for their retreat, his majesty removed to Esham, hoping the earl would choose to go back the same way he came; which, for many reasons, was to be desired; and thereupon the earl marched to Tewkesbury, as if he had no other purpose. The king's horse, though bold, and vigorous upon action and execution, were always less patient of duty and ill accommodation than they should be; and at this time, partly with weariness, and partly with the indisposition that possessed the whole army upon this relief of the town, were less vigilant towards the motion of the enemy: so that the earl of Essex was marched with his whole army and train from Tewkesbury, four and twenty hours before the king heard which way he was gone: for he took the advantage of a dark night, and having sure guides, reached Cirencester before the breaking of the day; where he found two regiments of the king's horse quartered securely; all which, by the negligence of the officers, (a common and fatal crime throughout the war, on the king's part,) he surprised, to the number of above three hundred; and, which was of much greater value, he found there a great quantity of provisions, prepared, by the king's commissaries, for the army before Gloucester, and which they neglected to remove after the siege was raised, and so most sottishly left it for the relief of the enemy, far more apprehensive of hunger than of the sword; and indeed this wonderful supply strangely exalted their spirits, as sent by the special care and extraordinary hand of Providence, even when they were ready to faint.

From hence the earl, having no farther apprehension of the king's horse, which he had no mind to encounter upon the open campaign, and being at the least twenty miles before him, by easy marches, that his sick and wearied soldiers might overtake him, moved, through that deep and enclosed county of North Wiltshire, his direct way to London. As soon as the king had sure notice which way the enemy was gone, he endeavoured, by expedition and diligence, to recover the advantage, which the

supine negligence of those he trusted had robbed him of; and himself, with matchless industry, taking care to lead up the foot, prince Rupert, with near five thousand horse, marched day and night over the hills, to get between London and the enemy before they should be able to get out of those enclosed deep countries, in which they were engaged between narrow lanes, and to entertain them with skirmishes till the whole army should come up. This design, pursued and executed with indefatigable pains, succeeded to his wish; for when the van of the enemy's army had almost marched over Awborne Chase, intending that night to have reached Newbury, prince Rupert, besides their fear or expectation, appeared with a strong body of horse, so near them, that before they could put themselves in order to receive him, he charged their rear, and routed them with good execution; and though the enemy performed the parts of good men, and applied themselves more dexterously to the relief of each other, than on so sudden and unlooked for an occasion was expected, yet with some difficulty, and the loss of many men, they were glad to shorten their journey, and the night coming on, took up their quarters at Hungerford.

In this conflict, which was very sharp for an hour or two, many fell of the enemy, and of the king's party none of name, but the marquis of Vieu Ville, a gallant gentleman of the French nation, who had attended the queen out of Holland, and put himself as a volunteer upon this action, into the lord Jermyn's regiment. There were hurt many officers, and among those the lord Jermyn received a shot in his arm with a pistol; owing the preservation of his life from other shots to the excellent temper of his arms; and the lord Digby a strange hurt in the face, a pistol being discharged at so near a distance upon him, that the powder fetched much blood from his face, and for the present blinded him, without farther mischief; by which it was concluded, that the bullet had dropped out before the pistol was discharged: and may be reckoned among one of those escapes, of which that gallant person hath passed a greater number, in the course of his life, than any man I know.

By this expedition of prince Rupert, the enemy was forced to such delay, that the king came up with his foot and train, though his numbers, by his exceeding long and quick marches, and the license which many officers and soldiers took whilst the king lay at Esham, were much lessened, being above two thousand fewer, than when he raised his siege from Gloucester. And when the earl, the next day, advanced from Hungerford, hoping to recover Newbury, which prince Rupert with his horse would not be able to hinder him from; when he came within two miles of the town, he found the king possessed of it; for his majesty, with his whole army, was come thither two hours before: this put him to a necessity of staying upon the field that night; it being now the seventeenth day of September.

It was now thought by many, that the king had recovered whatsoever had been lost by former oversights, omissions, or neglects, and that by the destroying the army which had relieved Gloucester, he should be fully recompensed for being disappointed of that purchase. He seemed to be possessed of all advantages to be desired, a good town to refresh his men in, whilst the enemy lodged in





*Engraved by R. P. Johnson*

HENRY SPENCER, FIRST EARL OF SUNDERLAND.

OB. 1643

FROM THE ORIGINAL OF WALKER IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL SPENCER



the field, his own quarters to friend, and his garrison of Wallingford at hand, and Oxford itself within distance for supply of whatsoever should be wanting; when the enemy was equally tired with long marches, and from the time that the prince had attacked them, the day before, had stood in their arms, in a country where they could not find victual. So that it was conceived, that it was in the king's power, whether he would fight or no, and therefore that he might compel them to notable disadvantages, who must make their way through, or starve; and this was so fully understood, that it was resolved over night, not to engage in battle, but upon such grounds as should give an assurance of victory. But, contrary to this resolution, when the earl of Essex had, with excellent conduct, drawn out his army in battalia, upon a hill called Bigg's Hill, within less than a mile of the town, and ordered his men in all places to the best advantage, by the precipitate courage of some young officers, who had good commands, and who unhappily always undervalued the courage of the enemy, strong parties became successively so far engaged, that the king was compelled to put the whole to the hazard of a battle, and to give the enemy at least an equal game to play.

It was disputed, on all parts, with great fierceness and courage; the enemy preserving good order, and standing rather to keep the ground they were upon, than to get more; by which they did not expose themselves to those disadvantages, which any motion would have offered to the assailants. The king's horse, with a kind of contempt of the enemy, charged with wonderful boldness, upon all grounds of inequality; and were so far too hard for the troops of the other side, that they routed them in most places, till they had left the greatest part of their foot without any guard at all of horse. But then the foot behaved themselves admirably on the enemy's part, and gave their scattered horse time to rally, and were ready to assist and secure them upon all occasions. The London trained bands, and auxiliary regiments, (of whose inexperience of danger, or any kind of service, beyond the easy practice of their postures in the Artillery Garden, men had till then too cheap an estimation,) behaved themselves to wonder; and were, in truth, the preservation of that army that day. For they stood as a bulwark and rampire to defend the rest; and when their wings of horse were scattered and dispersed, kept their ground so steadily, that, though prince Rupert himself led up the choice horse to charge them, and endured their storm of small shot, he could make no impression upon their stand of pikes, but was forced to wheel about: of so sovereign benefit and use is that readiness, order, and dexterity in the use of their arms, which hath been so much neglected.

It was fought all that day without any such notable turn, as that either party could think they had much the better. For though the king's horse made the enemy's often give ground, yet the foot were so immoveable, that little was gotten by the other; and the first entrance into the battle was so sudden, and without order, that, during the whole day, no use was made of the king's cannon, though that of the enemy was placed so unhappily, that it did very great execution upon the king's party, both horse and foot. The night parted them, when nothing else could; and each party had then time

to revolve the oversights of the day. The enemy had fared at least as well as they hoped for; and therefore, in the morning early, they put themselves in order of marching, having an obligation in necessity to gain some place, in which they might eat and sleep. On the king's side there was not that caution which should have been the day before; and though the number of the slain was not so great, as, in so hot a day, might have been looked for, yet very many officers and gentlemen were hurt: so that they rather chose to take advantage of the enemy's motion, than to charge them again upon the old ground, from whence they had been, by order, called off the night before, when they had recovered a post, the keeping of which would much have prejudiced the adversary. The earl of Essex finding his way open, pursued his main design of returning to London, and took that way by Newbury, which led towards Reading; which prince Rupert observing, suffered him, without interruption or disturbance, to pass, till his whole army was entered into the narrow lanes; and then with a strong party of horse, and one thousand musketeers, followed his rear with so good effect, that he put them into great disorder, and killed many, and took many prisoners. However the earl, with the gross of his army, and all his cannon, got safe into Reading; and, after a night or two spent there to refresh and rest his men, he moved in a slow and orderly march to London, leaving Reading to the king's forces: which was presently possessed by sir Jacob Ashley, with three thousand foot and five hundred horse, and made again a garrison for the king: his majesty and prince Rupert, with the remainder of the army, retiring to Oxford, and leaving a garrison under the command of colonel Boys in Donnington castle (a house of John Packer's, but more famous for having been the seat of Geoffrey Chaucer, within a mile of Newbury) to command the great road, through which the western trade was driven to London.

At this time sir William Waller was at Windsor, with above two thousand horse, and as many foot, as unconcerned for what might befall the earl of Essex, as he had formerly been on his behalf at Roundway hill: otherwise, if he had advanced upon the king to Newbury (which was not above twenty miles) when the earl was on the other side, the king had been in great danger of an utter defeat; and the apprehension of this was the reason, or was afterwards pretended to be, for the hasty engagement in battle.

The earl of Essex was received at London with all imaginable demonstrations of affection and reverence; public and solemn thanksgiving was appointed for his victory, for such they made no scruple to declare it. Without doubt, the action was performed by him with incomparable conduct and courage; in every part whereof very much was to be imputed to his own personal virtue; and it way be well reckoned among the most soldierly actions of this unhappy war. For he did the business he undertook, and, after the relief of Gloucester, his next care was to retire with his army to London; which, considering the length of the way, and the difficulties he was to contend with, he did with less loss than could be expected; on the other hand, the king was not without some signs of a victory. He had followed, and compelled the enemy to fight, by overtaking him, when

he desired to avoid it. He had the spoil of the field, and pursued the enemy the next day after the battle, and had a good execution upon them, without receiving any loss; and, which seemed to crown the work, fixed a garrison again at Reading, and thereby straitened their quarters as much [as they were] in the beginning of the year; his own being enlarged by the almost entire conquest of the west, and his army much stronger, in horse and foot, than when he first took the field. On which side soever the marks and public ensigns of victory appeared most conspicuous, certain it is, that, according to the unequal fate that attended all skirmishes and conflicts with such an adversary, the loss on the king's side was in weight much more considerable and penetrating; for whilst some obscure, unheard of colonel or officer was missing on the enemy's side, and some citizen's wife bewailed the loss of her husband, there were, on the other, above twenty officers of the field, and persons of honour, and public name, slain upon the place, and more of the same quality hurt.

Here fell the earl of Sunderland, a lord of great fortune, tender years, (being not above three and twenty years of age,) and an early judgment; who, having no command in the army, attended upon the king's person, under the obligation of honour; and putting himself that day in the king's troop a volunteer, before they came to charge, was taken away by a cannon bullet.

This day also fell the earl of Carnarvon, who, after he had charged, and routed a body of the enemy's horse, coming carelessly back by some of the scattered troopers, was, by one of them who knew him, run through the body with a sword; of which he died within an hour. He was a person, with whose great parts and virtue the world was not enough acquainted. Before the war, though his education was adorned by travel, and an exact observation of the manners of more nations, than our common travellers use to visit, (for he had, after the view of Spain, France, and most parts of Italy, spent some time in Turkey, and those eastern countries,) he seemed to be wholly delighted with those looser exercises of pleasure, hunting, hawking, and the like; in which the nobility of that time too much delighted to excel. After the troubles begun, having the command of the first or second regiment of horse, that was raised for the king's service, he wholly gave himself up to the office and duty of a soldier; no man more diligently obeying, or more dexterously commanding; for he was not only of a very keen courage in the exposing his person, but an excellent discernor and pursuer of advantage upon his enemy; and he had a mind and understanding very present in the article of danger, which is a rare benefit in that profession. Those infirmities, and that license, which he had formerly indulged to himself, he put off with severity, when others thought them excusable under the notion of a soldier. He was a great lover of justice, and practised it then most deliberately, when he had power to do wrong: and so strict in the observation of his word and promise as a commander, that he could not be persuaded to stay in the west, when he found it not in his power to perform the agreement he had made with Dorchester and Weymouth. If he had lived, he would have proved a great ornament to that profession, and an excellent soldier, and by

his death the king found a sensible weakness in his army.

But I must here take leave a little longer to discontinue this narration: and if the celebrating the memory of eminent and extraordinary persons, and transmitting their great virtues, for the imitation of posterity, be one of the principal ends and duties of history, it will not be thought impertinent, in this place, to remember a loss which no time will suffer to be forgotten, and no success or good fortune could repair. In this unhappy battle was slain the lord viscount Falkland; a person of such prodigious parts of learning and knowledge, of that inimitable sweetness and delight in conversation, of so flowing and obliging a humanity and goodness to mankind, and of that primitive simplicity and integrity of life, that if there were no other brand upon this odious and accursed civil war, than that single loss, it must be most infamous, and execrable to all posterity.

*Turpe mori, post te, solo non posse dolore.*

Before this parliament, his condition of life was so happy that it was hardly capable of improvement. Before he came to twenty years of age, he was master of a noble fortune, which descended to him by the gift of a grandfather, without passing through his father or mother, who were then both alive, and not well enough contented to find themselves passed by in the descent. His education for some years had been in Ireland, where his father was lord deputy; so that, when he returned into England, to the possession of his fortune, he was unentangled with any acquaintance or friends, which usually grow up by the custom of conversation; and therefore was to make a pure election of his company; which he chose by other rules than were prescribed to the young nobility of that time. And it cannot be denied, though he admitted some few to his friendship for the agreeableness of their natures, and their undoubted affection to him, that his familiarity and friendship, for the most part, was with men of the most eminent and sublime parts, and of untouched reputation in point of integrity; and such men had a title to his bosom.

He was a great cherisher of wit, and fancy, and good parts in any man; and, if he found them clouded with poverty or want, a most liberal and bountiful patron towards them, even above his fortune; of which, in those administrations, he was such a dispenser, as, if he had been trusted with it to such uses, and if there had been the least of vice in his expense, he might have been thought too prodigal. He was constant and pertinacious in whatsoever he resolved to do, and not to be wearied by any pains that were necessary to that end. And therefore having once resolved not to see London, which he loved above all places, till he had perfectly learned the Greek tongue, he went to his own house in the country, and pursued it with that indefatigable industry, that it will not be believed in how short a time he was master of it, and accurately read all the Greek historians.

In this time, his house being within ten miles of Oxford, he contracted familiarity and friendship with the most polite and accurate men of that university; who found such an immenseness of wit, and such a solidity of judgment in him, so infinite a fancy, bound in by a most logical ratiocination, such a vast knowledge, that he was not







Engraved by J. Robinson.

**ROBERT DORMER, EARL OF CAERNARVON.**

OB. 1643

FROM THE ORIGINAL OF VAN DYKE IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> THE EARL OF PEMBROKE



ignorant in any thing, yet such an excessive humility, as if he had known nothing, that they frequently resorted, and dwelt with him, as in a college situated in a purer air; so that his house was a university in a less volume; whither they came not so much for repose as study; and to examine and refine those grosser propositions, which laziness and consent made current in vulgar conversation.

Many attempts were made upon him by the instigation of his mother (who was a lady of another persuasion in religion, and of a most masculine understanding, allayed with the passion and infirmities of her own sex) to pervert him in his piety to the church of England, and to reconcile him to that of Rome; which they prosecuted with the more confidence, because he declined no opportunity or occasion of conference with those of that religion, whether priests or laics; having diligently studied the controversies, and exactly read all, or the choicest of the Greek and Latin fathers, and having a memory so stupendous, that he remembered, on all occasions, whatsoever he read. And he was so great an enemy to that passion and uncharitableness, which he saw produced, by difference of opinion, in matters of religion, that in all those disputations with priests, and others of the Roman church, he affected to manifest all possible civility to their persons, and estimation of their parts; which made them retain still some hope of his reduction, even when they had given over offering farther reasons to him to that purpose. But this charity towards them was much lessened, and any correspondence with them quite declined, when, by sinister arts, they had corrupted his two younger brothers, being both children, and stolen them from his house, and transported them beyond seas, and perverted his sisters: upon which occasion he writ two large discourses against the principal positions of that religion, with that sharpness of style, and full weight of reason, that the church is deprived of great jewels in the concealment of them, and that they are not published to the world.

He was superior to all those passions and affections which attend vulgar minds, and was guilty of no other ambition than of knowledge, and to be reputed a lover of all good men; and that made him too much a contemner of those arts, which must be indulged in the transactions of human affairs. In the last short parliament, he was a burgess in the house of commons; and, from the debates which were then managed with all imaginable gravity and sobriety, he contracted such a reverence to parliaments, that he thought it really impossible they could ever produce mischief or inconvenience to the kingdom; or that the kingdom could be tolerably happy in the intermission of them. And from the unhappy and unseasonable dissolution of that convention, he harboured, it may be, some jealousy and prejudice to the court, towards which he was not before immoderately inclined; his father having wasted a full fortune there, in those offices and employments by which other men use to obtain a greater. He was chosen again this parliament to serve in the same place, and, in the beginning of it, declared himself very sharply and severely against those exorbitancies, which had been most grievous to the state; for he was so rigid an observer of established laws and rules, that he could not endure the least breach or

deviation from them; and thought no mischief so intolerable as the presumption of ministers of state to break positive rules, for reasons of state; or judges to transgress known laws, upon the title of convenience, or necessity; which made him so severe against the earl of Strafford and the lord Finch, contrary to his natural gentleness and temper: insomuch as they who did not know his composition to be as free from revenge, as it was from pride, thought that the sharpness to the former might proceed from the memory of some unkindnesses, not without a mixture of injustice, from him towards his father. But without doubt he was free from those temptations, and was only misled by the authority of those, who, he believed, understood the laws perfectly; of which himself was utterly ignorant; and if the assumption, which was scarce controverted, had been true, "that an endeavour to overthrow the fundamental laws of the kingdom had been treason," a strict understanding might make reasonable conclusions to satisfy his own judgment, from the exorbitant parts of their several charges.

The great opinion he had of the uprightness and integrity of those persons who appeared most active, especially of Mr. Hambden, kept him longer from suspecting any design against the peace of the kingdom; and though he differed from them commonly in conclusions, he believed long their purposes were honest. When he grew better informed what was law, and discerned in them a desire to control that law by a vote of one or both houses, no man more opposed those attempts, and gave the adverse party more trouble by reason and argumentation; insomuch as he was, by degrees, looked upon as an advocate for the court, to which he contributed so little, that he declined those addresses, and even those invitations which he was obliged almost by civility to entertain. And he was so jealous of the least imagination that he should incline to preferment, that he affected even a morosity to the court, and to the courtiers; and left nothing undone which might prevent and divert the king's or queen's favour towards him, but the deserving it. For when the king sent for him once or twice to speak with him, and to give him thanks for his excellent comportment in those councils, which his majesty graciously termed "doing him service," his answers were more negligent, and less satisfactory, than might be expected; as if he cared only that his actions should be just, not that they should be acceptable, and that his majesty should think that they proceeded only from the impulsion of conscience, without any sympathy in his affections; which, from a stoical and sullen nature, might not have been misinterpreted; yet, from a person of so perfect a habit of generous and obsequious compliance with all good men, might very well have been interpreted by the king as more than an ordinary averseness to his service: so that he took more pains, and more forced his nature to actions unagreeable, and unpleasant to it, that he might not be thought to incline to the court, than most men have done to procure an office there. And if any thing but not doing his duty could have kept him from receiving a testimony of the king's grace and trust at that time, he had not been called to his council; not that he was in truth averse to the court or from receiving public employment; for he had a great devotion to the king's person, and

had before used some small endeavour to be recommended to him for a foreign negociation, and had once a desire to be sent ambassador into France; but he abhorred an imagination or doubt should sink into the thoughts of any man, that, in the discharge of his trust and duty in parliament, he had any bias to the court, or that the king himself should apprehend that he looked for a reward for being honest.

For this reason, when he heard it first whispered, "that the king had a purpose to make him a "counsellor," for which there was, in the beginning, no other ground, but because he was known sufficient, (*haud semper errat fama, aliquando et eligit*;) he resolved to decline it; and at last suffered himself only to be overruled, by the advice and persuasions of his friends, to submit to it. Afterwards, when he found that the king intended to make him secretary of state, he was positive to refuse it; declaring to his friends, "that he was "most unfit for it, and that he must either do that "which would be great disquiet to his own nature, "or leave that undone which was most necessary "to be done by one that was honoured with that "place; for that the most just and honest men "did, every day, that which he could not give "himself leave to do." And indeed he was so exact and strict an observer of justice and truth, *ad amussim*, that he believed those necessary condescensions and applications to the weakness of other men, and those arts and insinuations which are necessary for discoveries, and prevention of ill, would be in him a declension from his own rules of life: which he acknowledged fit, and absolutely necessary to be practised in those employments; and was, in truth, so precise in the practick principles he prescribed to himself, (to all others he was as indulgent,) as if he had lived in *republica Platonis, non in facie Romuli*.

Two reasons prevailed with him to receive the seals, and but for those he had resolutely avoided them. The first, the consideration that it [his refusal] might bring some blemish upon the king's affairs, and that men would have believed, that he had refused so great an honour and trust, because he must have been with it obliged to do somewhat else not justifiable. And this he made matter of conscience, since he knew the king made choice of him, before other men, especially because he thought him more honest than other men. The other was, lest he might be thought to avoid it out of fear to do an ungracious thing to the house of commons, who were sorely troubled at the displacing sir Harry Vane, whom they looked upon as removed for having done them those offices they stood in need of; and the disdain of so popular an incumbrance wrought upon him next to the other. For as he had a full appetite of fame by just and generous actions, so he had an equal contempt of it by any servile expedients: and he so much the more consented to and approved the justice upon sir Harry Vane, in his own private judgment, by how much he surpassed most men in the religious observation of a trust, the violation whereof he would not admit of any excuse for.

For these reasons, he submitted to the king's command, and became his secretary, with as humble and devout an acknowledgment of the greatness of the obligation, as could be expressed, and as true a sense of it in his heart. Yet two things he could never bring himself to, whilst he con-

tinued in that office, that was to his death; for which he was contented to be reproached, as for omissions in a most necessary part of his place. The one, employing of spies, or giving any countenance or entertainment to them. I do not mean such emissaries, as with danger would venture to view the enemy's camp, and bring intelligence of their number, or quartering, or such generals as such an observation can comprehend; but those, who by communication of guilt, or dissimulation of manners, wound themselves into such trusts and secrets, as enabled them to make discoveries for the benefit of the state. The other, the liberty of opening letters, upon a suspicion that they might contain matter of dangerous consequence. For the first, he would say, "such instruments "must be void of all ingenuity, and common "honesty, before they could be of use; and afterwards they could never be fit to be credited: and "that no single preservation could be worth so "general a wound, and corruption of human society, as the cherishing such persons would carry "with it." The last, he thought "such a violation "of the law of nature, that no qualification by "office could justify a single person in the trespass;" and though he was convinced by the necessity, and iniquity of the time, that those advantages of information were not to be declined, and were necessarily to be practised, he found means to shift it from himself; when he confessed he needed excuse and pardon for the omission: so unwilling he was to resign any thing in his nature to an obligation in his office.

In all other particulars he filled his place plentifully, being sufficiently versed in languages, to understand any that are used in business, and to make himself again understood. To speak of his integrity, and his high disdain of any bait that might seem to look towards corruption, *in tanto viro, injuria virtutum fuerit*. Some sharp expressions he used against the archbishop of Canterbury, and his concurring in the first bill to take away the votes of bishops in the house of peers, gave occasion to some to believe, and opportunity to others to conclude, and publish, "that he was no friend "to the church, and the established government "of it;" and troubled his very friends much, who were more confident of the contrary, than prepared to answer the allegations.

The truth is, he had unhappily contracted some prejudice to the archbishop; and having only known him enough to observe his passion, when, it may be, multiplicity of business, or other indisposition, had possessed him, did wish him less entangled and engaged in the business of the court, or state: though, I speak it knowingly, he had a singular estimation and reverence of his great learning, and confessed integrity; and really thought his letting himself to those expressions, which implied a disesteem of him, or at least an acknowledgment of his infirmities, would enable him to shelter him from part of the storm he saw raised for his destruction; which he abominated with his soul.

The giving his consent to the first bill for the displacing the bishops, did proceed from two grounds: the first, his not understanding the original of their right and suffrage there: the other, an opinion, that the combination against the whole government of the church by bishops, was so violent and furious, that a less composition than





**LUCIUS CAREY, VISCOUNT FALKLAND.**

**OB 1645.**

**FROM THE ORIGINAL OF A XIROTHE. IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> LORD ARTHUR DILL OF WARDON B.**





the dispensing with their intermeddling in secular affairs, would not preserve the order. And he was persuaded to this by the profession of many persons of honour, who declared, "they did desire the one, and would not then press the other;" which, in that particular, misled many men. But when his observation and experience made him discern more of their intentions, than he before suspected, with great frankness he opposed the second bill that was preferred for that purpose; and had, without scruple, the order itself in perfect reverence; and thought too great encouragement could not possibly be given to learning, nor too great rewards to learned men; and was never in the least degree swayed or moved by the objections which were made against that government, (holding them most ridiculous,) or affected to the other, which those men fancied to themselves.

He had a courage of the most clear and keen temper, and so far from fear, that he was not without appetite of danger; and therefore, upon any occasion of action, he always engaged his person in those troops, which he thought, by the forwardness of the commanders, to be most like to be farthest engaged; and in all such encounters he had about him a strange cheerfulness and companionableness, without at all affecting the execution that was then principally to be attended, in which he took no delight, but took pains to prevent it, where it was not, by resistance, necessary: insomuch that at Edge-hill, when the enemy was routed, he was like to have incurred great peril, by interposing to save those who had thrown away their arms, and against whom, it may be, others were more fierce for their having thrown them away: insomuch as a man might think, he came into the field only out of curiosity to see the face of danger, and charity to prevent the shedding of blood. Yet in his natural inclination he acknowledged he was addicted to the profession of a soldier; and shortly after he came to his fortune, and before he came to age, he went into the Low Countries, with a resolution of procuring command, and to give himself up to it, from which he was converted by the complete inactivity of that summer: and so he returned into England, and shortly after entered upon that vehement course of study we mentioned before, till the first alarm from the north; and then again he made ready for the field, and though he received some repulse in the command of a troop of horse, of which he had a promise, he went a volunteer with the earl of Essex.

From the entrance into this unnatural war, his natural cheerfulness and vivacity grew clouded, and a kind of sadness and dejection of spirit stole upon him, which he had never been used to; yet being one of those who believed that one battle would end all differences, and that there would be so great a victory on one side, that the other would be compelled to submit to any conditions from the victor, (which supposition and conclusion generally sunk into the minds of most men, and prevented the looking after many advantages, that might then have been laid hold of,) he resisted those indispositions, *et in luctu, bellum inter remedia erat*. But after the king's return from Brentford, and the furious resolution of the two houses not to admit any treaty for peace, those indispositions, which had before touched him, grew into a perfect habit of uncheerfulness; and he, who had been so ex-

actly unreserved and affable to all men, that his face and countenance was always present, and vacant to his company, and held any cloudiness, and less pleasantness of the visage, a kind of rudeness or incivility, became, on a sudden, less communicable; and thence, very sad, pale, and exceedingly affected with the spleen. In his clothes and habit, which he had intended before always with more neatness, and industry, and expense, than is usual to so great a mind, he was not now only incurious, but too negligent; and in his reception of suitors, and the necessary or casual addresses to his place, so quick, and sharp, and severe, that there wanted not some men, (who were strangers to his nature and disposition,) who believed him proud and imperious, from which no mortal man was ever more free.

The truth is, that as he was of a most incomparable gentleness, application, and even demissiveness and submission to good, and worthy, and entire men, so he was naturally (which could not but be more evident in his place, which objected him to another conversation and intermixture, than his own election had done) *adversus malos injucundus*; and was so ill a dissembler of his dislike and disinclination to ill men, that it was not possible for such not to discern it. There was once, in the house of commons, such a declared acceptance of the good service an eminent member had done to them, and, as they said, to the whole kingdom, that it was moved, he being present, "that the speaker might, in the name of the whole house, give him thanks; and then, that every member might, as a testimony of his particular acknowledgment, stir or move his hat towards him;" the which (though not ordered) when very many did, the lord Falkland, (who believed the service itself not to be of that moment, and that an honourable and generous person could not have stooped to it for any recompense,) instead of moving his hat, stretched both his arms out, and clasped his hands together upon the crown of his hat, and held it close down to his head; that all men might see, how odious that flattery was to him, and the very approbation of the person, though at that time most popular.

When there was any overture or hope of peace, he would be more erect and vigorous, and exceedingly solicitous to press any thing which he thought might promote it; and sitting among his friends, often, after a deep silence and frequent sighs, would, with a shrill and sad accent, ingeminate the word *Peace, Peace*; and would passionately profess, "that the very agony of the war, and the view of the calamities and desolation the kingdom did and must endure, took his sleep from him, and would shortly break his heart." This made some think, or pretend to think, "that he was so much enamoured on peace, that he would have been glad the king should have bought it at any price;" which was a most unreasonable calumny. As if a man, that was himself the most punctual and precise in every circumstance that might reflect upon conscience or honour, could have wished the king to have committed a trespass against either. And yet this senseless scandal made some impression upon him, or at least he used it for an excuse of the daringness of his spirit; for at the leaguer before Gloucester, when his friends passionately reprehended him for exposing his person unnecessarily to danger, (as he delighted to visit the trenches

and nearest approaches, and to discover what the enemy did,) as being so much beside the duty of his place, that it might be understood against it, he would say merrily, "that his office could not take away the privileges of his age; and that a secretary in war might be present at the greatest secret of danger;" but withal alleged seriously, "that it concerned him to be more active in enterprises of hazard, than other men; that all might see, that his impatience for peace proceeded not from pusillanimity, or fear to adventure his own person."

In the morning before the battle, as always upon action, he was very cheerful, and put himself into the first rank of the lord Byron's regiment, who was then advancing upon the enemy, who had lined the hedges on both sides with musketeers; from whence he was shot with a musket in the lower part of the belly, and in the instant falling from his horse, his body was not found till the next morning; till when, there was some hope he might have been a prisoner; though his nearest friends, who knew his temper, received small comfort from that imagination. Thus fell that incomparable young man, in the four and thirtieth year of his age, having so much despatched the business of life, that the oldest rarely attain to that immense knowledge, and the youngest enter not into the world with more innocence: whosoever leads such a life, needs not care upon how short warning it be taken from him.

[Now to go on with the course of our history:] the earl of Essex entered into London on the 25th of September, (a day we shall have occasion to remember upon another solemnity,) and was the next day visited, at Essex house, by the speaker and the whole house of commons, who declared to him, "that they came to congratulate his notable success, and to render the thanks of the kingdom to him, for his incomparable conduct and courage;" and that they had caused their acknowledgment to be entered in their journal book, as a monument and record of his virtue, and their gratitude." A day or two after, solemn thanks were rendered to those members of both houses, who had command in the army, and some extraordinary signification of respect derived to the superior officers throughout the army. A gaudy letter of kindness and value was sent to colonel Massey, and, which made the letter of more value, a thousand pounds was sent him as a gratuity or present for his service, over and above what was due to him for his pay, and some largess to all the inferior officers, and a month's pay, over and above their arrears, to the soldiers of that garrison.

Lest the discourse and apprehension of the jealousy between the earl of Essex and sir William Waller might administer hope or suspicion, that some division might grow amongst themselves, and, from thence, that the king might receive any advantage, great care was taken to make, and greater to publish, a reconciliation between them; in which sir William was all submission and humility, and his excellence full of grace and courtesy. The passion and animosity, which difference of opinion had produced between any members, was totally laid aside and forgotten, and no artifice omitted to make the world believe, that they were a people newly incorporated, and as firmly united to one and the same end, as their brethren the Scots; of whose concurrence and assistance they

were now assured, and satisfied that it would come soon enough for their preservation; of which they had not before a full confidence.

Though the king's army had all the trophies of victory in and after this battle, (it kept the field, and had the spoil of it; it took some pieces of the enemy's cannon, who marched off in the night, and was pursued with some considerable loss beyond Reading, where a garrison was again placed for his majesty, under the command of sir Jacob Ashley, major general of the army, an excellent officer; so that the parliament was in so much a worse state than they were in the spring, as the loss of Bristol and most of the west amounted to; for by this time Exeter was likewise reduced by prince Maurice,) yet, notwithstanding all this, the earl of Essex, as is said before, was received at London with all imaginable gratulation and triumph; he had done all that was expected from him, with many circumstances of great soldierly, and notable courage, and the heart and spirit of the parliament was visibly much exalted, and their impatience for peace quite abated.

On the contrary, upon the king's return to Oxford, there appeared nothing but dejection of mind, discontent, and secret mutiny in the army, anger and jealousy among the officers, every one accusing another of want of courage and conduct in the actions of the field; and they who were not of the army, blaming them all for their several failings and gross oversights. The siege of Gloucester was not believed to have been well conducted, and that it might have been taken in half the time they were before it, if it had been skilfully gone about. The not engaging the earl of Essex in all the march over so open a country, was thought unexcusable, and was imputed to the want of courage in Wilmot, whom prince Rupert did in no degree favour: nor was the prince himself without some reproaches, for suffering the earl of Essex, after all the horse was joined, to march down a long steep hill into the vale of Gloucester, without any disturbance; and that the whole army, when it was found necessary to quit the siege, had not been brought to fight in that vale, and at some distance from the town, when the king's men were fresh, and the other side tired with so long a march.

But then all men renewed their execrations against those, who advised the engagement before Gloucester; the officers, who had been present, and consenting to all the councils, disclaiming, as much as any, the whole design; and all conspired to lay the whole reproach upon the master of the rolls, who spoke most in those debates, and was not at all gracious to the soldiers; and this clamour against that engagement was so popular and universal, that no man took upon himself to speak in defence of it; though, besides the reasons which have been formerly alleged for it, this last action might well seem to justify it; for since it appeared, that the city was so much united to the parliament, that it supplied their army with such a body of their trained bands, (without which it could never have marched,) with what success could his majesty have approached London, after the taking of Bristol, with his miserable army? and would not the whole body of the trained bands have defended that, when so considerable a part of them could be persuaded to undertake a march of two hundred miles? for less they did not march, from the time they went out, to that in which they returned.

But no reason could ever convert those, who looked upon that undertaking at Gloucester, as the ruin of the king's affairs.

The temper of the court was no better than that of the army: and the king was so much troubled with both, that he did not enjoy the quiet his condition required. They who had forborne to be importunate for honours, or offices, because they knew they should not be able to obtain their desires from the king, made their modesty an argument of their merit to the queen; and assured her, "that they had forborne to ask any thing in her absence, because they had always resolved never to receive any thing, but by her bounty." Many pretended former promises and engagements for creations of honour, as soon as any thing should be done of that kind. And it is true enough, that both their majesties had given themselves ease from present importunities, by making promises, with reference to a time, which they imagined, and, at that time, resolved, should not be soon: and now there was no sooner mention of conferring honour upon one or two whom they had a mind to gratify, but the rest, who had that promise, were very importunate and clamorous for the same justice. And by this means they were, upon the matter, compelled to gratify some men to whom they bore no good will; and so, they who received the favours were no more pleased, than they were who conferred them; and they who were without ambition before, when they saw honours and offices conferred upon men, who, they thought, did not merit them better than themselves, thought their service undervalued if they did not receive the same reward. And it was a usual prologue to suits of that kind, "that they did not desire it out of their own ambition, but purely to satisfy their friends; who withdrew their kindness from them, out of an opinion that they had offended the king, who would not otherwise put so great a difference between them and other men." Princes should not confer public rewards in a season when they can only gratify few, and when so many stand upon the same level in pretences, and are apt to feel the preferring of one, as an affront and disobligation to the rest.

There was no particular that gave the king more unquietness, than the presence of my lord of Holland. The three earls [I before mentioned] had attended the king before he rose from Gloucester, and had waited upon him throughout that march, and had charged the enemy, in the king's regiment of horse, at the battle of Newbury, very bravely; and had behaved themselves, throughout, very well; and returned to Oxford with his majesty; and now expected to be well looked upon: and the other two had no cause to complain; the king, upon all occasions, spoke very graciously to them, and sent the chancellor of the exchequer to the earl of Clare, "that he had liberty, and might be present at the councils of war;" where the peers usually were, and where the general matters of contribution, and such things as concerned the country, were usually debated. But the earl of Holland was not pleased; he thought nothing of former miscarriages ought to be remembered; that all those were cancelled by the merit of coming to the king now, and bringing such considerable persons with him, and disposing others to follow; and expected, upon his first appearance, to have had his key restored to him; to have been in the same

condition he was in the bedchamber, and in the council, and in the king's grace and countenance; of all which he had assurance from the queen before he came, at least from Mr. Jermyn, who, no doubt, did exceed his commission; and the very deferring of this was grievous to him; and the more, because he found the same disrespect from all others, as he had done when he came first to Oxford.

He came frequently in the afternoon to Merton college; where the queen lay, and where the king was for the most part at that time of the day, and both their majesties looked well upon him, and spake to him in public as occasion was administered. Sometimes the king went aside with him to the window, in the same room, where they spake a quarter or half an hour together, out of the hearing of any body; which the queen did often in the same manner; and Mr. Jermyn, who was about this time made a baron, was very frequently with him. The king was always upon his guard towards him, and did not, in truth, abate any thing of his former rigour or prejudice, and continued firm to his former resolutions. But the queen, whether from her inclination, or promise, or dislike of most other people, who were not so good courtiers, (as sure none was equal to him in that function and mystery,) did in truth heartily desire, that he might receive satisfaction in all things, according to his own desire; and would have trusted him herself as much as formerly: yet she complied so far with the king's aversion, that she yet forbore to press it, or to own the encouragement she had given him; nor had she a willingness to oppose so great a torrent of malice and prejudice, as she saw evidently run against him; so that she appeared not to wish, what without doubt she would have been very glad of. However the marquis of Hertford was now come to Oxford, and expected the performance of the king's promise to him, and to be admitted into the office of groom of the stole; of which the king took not the least notice to him since his return; which made it the more suspected, that the intention was to readmit the old officer; and this apprehension was confirmed by the queen's looking less graciously upon the marquis, than she had used to do. And it is true, though it may be she did not intend to make any such discovery by her looks, she was not pleased that any such promise was made, both because it was without her consent, and as it crossed what she designed; and much desired that the marquis could have been persuaded to have released it; towards which the lord Jermyn, with some passion, spake to the chancellor of the exchequer, "how unreasonable a thing it was for the marquis, who was master of so great a fortune, to affect such a low pre-ferment, and how generous a thing it would be to quit his pretence:" but he quickly discovered him not to be willing to engage in any such proposition. All this wonderfully indisposed the [other] lords, and the persons of quality in the town, who did not wish to see the court as it had been, or the queen herself possessed of so absolute a power, as she had been formerly; though they looked upon her person with all duty and reverence.

The earl of Holland did not act his own part with that art and dexterity, which might have been expected from his wisdom and experience;

nor had ever made the least apology to the king for any thing he had formerly done; nor appeared to have the least sense that he had committed any error, as his majesty himself declared to those, who he knew were his friends; and said, "that he behaved himself with the same confidence and assurance, as he had done when he was most in his favour; and that he retained still the old artifice of court, to be seen to whisper in the king's and queen's ear, by which people thought there was some secret, when the matter of those whispers was nothing but what might be said in the market; so his majesty protested that the earl of Holland had several times seemed to desire to say somewhat in private to him, upon which he had withdrawn from the company to the end or corner of the room, and, at first, expected and apprehended, that he would say somewhat in his own excuse; but that he had never then said one word, but what he might have spoke in the circle; with which," he said, "he was the better pleased; and that he believed, he had not been more particular with his wife, save that he used to entertain her with discourses of the wisdom and power of the parliament, and what great things they would be able to do, and how much they were respected in foreign parts; which," his majesty said, "was a strange discourse for a man to make, who had so lately left them, because he thought the king's condition to be the better of the two."

The earl had a friend, who did heartily desire to do him all the offices and services that would consist with the king's honour, and always apprehended the ill consequence of discouraging such revolutions, and who spake often to the earl of his own affairs. And when he complained of his usage, and repeated what promises and encouragement he had received to come to the king, and of what importance his good reception would have been; "that there were many of considerable reputation and interest in the house of commons," (whom he named,) "who intended to have followed, and that the earl of Northumberland expected only his advice;" his friend asked him, "whether he had done all things, since he came to the king, which might reasonably be expected from him?" He said, "he thought he had done all could be expected from him, in bringing himself to the king; and, since his coming to him, in venturing his life for him; and in lieu thereof he had not received thanks, or one gracious word; and now, after his office had been kept unbestowed near two years, and a promise made to him, that he should be restored to it, it was to be bestowed upon another, to make his disgrace the more notorious; which he thought would not prove for his majesty's honour or advantage."

His friend asked him, "whether he had asked it of the king, or informed him of the promise that was made to him?" He said, "he had done neither, nor ever would; he expected it of the king's grace, and would not extort it by a promise, which, it might be, his majesty was not privy to." The other replied very plainly to him, "that if he thought he had never committed any fault against the king, he had no reason to acknowledge it, or make excuse for it; but if he were guilty of any such, how unwarily soever it had been done, or how unma-

liciously soever it had been intended, he ought to make some confession and apology to his majesty; nor could his majesty, with the safety of his honour, avow the receiving him into any trust without it; nor was he capable of receiving any offices from his friends, or the queen's own declared interposition on his behalf, till he had performed that necessary introduction." He told him, "if he would follow his advice, he believed he might receive some effect of it;" which was, "that he should send to desire a private audience of his majesty in some room, where nobody might be present; which would not be refused him; and then he should (with all the excuses upon the terror the parliament gave to all men, who had exceeded the common rules, in their administration of the trust they had from his majesty; as he could not deny he had done in many particulars for the advancement of his majesty's service) confess, that he had not been hardly enough to condemn that power, but had been so much in awe of it, that he chose rather to presume upon his majesty's goodness, than to provoke their jealousy and displeasure; and so had complied with them more, than in his duty and gratitude to his majesty he ought to have done; for which he begged his pardon upon his knees; and if he might obtain it, he made no doubt, he should wipe out the memory of past offences by some new services, which should be beneficial to his majesty;" and he told him, "that he would do very well, if he would sue out his pardon, as the earl of Bedford had done; who had asked it of the king when he first kissed his hand, and had since wisely taken it out under the great seal of England."

The earl of Holland seemed not at all pleased with this advice; said, "He did not think, though he would not justify all that he had done, his transgressions were of that magnitude, that they required such a formality of asking pardon; that his case was very different from that of the earl of Bedford, who had been in arms, and a general officer in the field against the king; whereas he had only sat in the parliament, as lawfully he might do; and if he had failed in his attendance upon his majesty, and otherwise deserved his displeasure, he had received so many marks of it before he deserved it, that might well transport a very faithful servant into a discontent that would not become him. That as soon as he found himself restored to any proportion of his majesty's grace and confidence, his own inclination would carry him to as humble apologies, and as deep acknowledgments of all his transgressions, as could be expected from him, and such as he believed would reconcile the king's goodness to him: but to make the first advance by such a kind of submission, he did not think he could prevail over himself to do it." However, he took his advice very kindly, and spoke often with him after upon the same subject.

Being, upon conference with some other friends, advised the same, especially by his daughter, (whom he loved and esteemed exceedingly,) so that he seemed resolved to do it; but whether he thought worse of the king's affairs, or liked the court the less, because he saw the poverty of it, and that whatever place or favour he might obtain,

he could not expect a support from it to defray his expenses, (nor could he draw it from any other place,) he delayed it so long, till the king found it reasonable to confer the office he had so long promised, upon the marquis of Hertford; and then withdrawing himself, for his convenience, to a neighbour village, where he had a private lodging; after a few days, with the help of a dark night and a good guide, he got himself into the enemy's quarters, and laid himself at the feet of the parliament; which, after a short imprisonment, gave him leave to live in his own house, without farther considering him, than as a man able to do little good or harm. And yet he did endeavour to render himself as grateful to them as he could, by an act very unsuitable to his honour, or his own generous nature: for he published a declaration in print, of the cause of his going to, and returning from Oxford; in which he endeavoured to make it believed, "that his compassion and love to his country had only prevailed with him to go to the king, in hope to have been able, upon the long knowledge his majesty had of his fidelity, to persuade him to make a peace with his parliament; which, from the time of his coming thither, he had laboured to do; but that he found the court so indisposed to peace, and that the papists had so great a power there," (using many expressions dishonourable towards the king and his council,) "that he resolved to make what haste he could back to the parliament, and to spend the remainder of his life in their service:" which action, so contrary to his own natural discretion and generosity, lost him the affection of those few who had preserved some kindness for him, and got him credit with nobody; and may teach all men how dangerous it is to step aside out of the path of innocence and virtue, upon any presumption to be able to get into it again; since they usually satisfy themselves in doing any thing to mend the present exigent they are in, rather than think of returning to that condition of innocence, from whence they departed with a purpose of returning.

However, this unhappy ill carriage of the earl doth not absolve the king's council from oversight in treating him no better; which was a great error; and made the king, and all those about him, looked upon as implacable; and so diverted all men from farther thoughts of returning to their duty by such application, and made those who abhorred the war, and the violent counsels in the carrying it on, choose rather to acquiesce, and expect a conjuncture when a universal peace might be made, than to expose themselves by unseasonable and unwelcome addresses. The earl of Northumberland, who was gone to Petworth, as is said before, with a purpose of going to the king, if by the lord Conway's negotiation, and the earl of Holland's reception, he found encouragement, returned to the parliament, where he was received with great respect, all men concluding, that he had never intended to do, what he had not done. And the other members, who had entertained the same resolutions, changed their minds with him, and returned to their former station: and the two earls who yet remained at Oxford, shortly after found means to make their peace; and returned again to their own habitations in London, without farther mark

of displeasure, than a restraint, from coming to the house of peers, or being trusted in their counsels.

The committee from the two houses of parliament, which was sent into Scotland in July before, in the distraction of their affairs, when sir William Waller was defeated, and the earl of Essex's army unserviceable, as is remembered, found that kingdom in so good and ready a posture for their reception, that they had called an assembly of their kirk, and a convention of the estates, (which is the parliament,) without, and expressly against, the king's consent, and without any colour of law; for the time, when, by their late act of parliament, they might of right challenge those meetings, was not come by almost a year; and the king had refused to convene them sooner. The kingdom was at unity and peace amongst themselves, and so at the more leisure to help their neighbours; and the government of all affairs in their hands who were to be confided in; and they again ruled and disposed by a few, who were thoroughly engaged in the counsels and discomposures in England; for all those who were visibly affected to the king's service, or disaffected eminently to the persons in authority there, were fled the kingdom: and they who stayed behind, either had, or pretended to have, the same affections; of which a full declared zeal, and good-will to the parliament of England, was a common evidence.

So that the committee found as good a welcome as they could wish, and all men disposed to gain a good opinion with them: a committee was appointed, both out of the convention of estates, and the assembly, "to treat with them, and to make such conclusions, as might be thought necessary to advance the peace and happiness of both kingdoms." These men complied with them, in their full sense of the sad condition of the affairs of England, and in their own concernment in the misfortunes which should befall them: they said, "they well understood how much the fate of Scotland was involved in what should befall the parliament in England; and that if the king prevailed by force, and by the power of his army, oppressed those friends, who had expressed a tenderness formerly towards them, they had reason to expect the same army should be applied to the revenge of those indignities they would easily persuade his majesty, he had suffered from that his native kingdom: and therefore they needed no arguments to persuade them to commiserate the estate of their brethren of England; or to convince them, that their case was their own, and their mutual safety bound up together: but that those politic arguments and considerations would have no influence upon the people, who had such a natural affection and loyalty to their sovereign, as no earthly consideration would be able to prevail with them to lessen their obedience towards his majesty; and that, albeit there was no visible party and faction, that appeared in the kingdom for the king, yet that there were many well wishers to him, and maligners, in their hearts, of the present reformation; who, as soon as there should be any preparation for an army to march into England, would be ready, upon the specious arguments of duty to his majesty, and of peace to their country, and might be able to

“give great disturbance to the expedition, or to disquiet the realm, when the most eminently affected were marched towards the relief of their distressed neighbours; except some obligation of conscience were laid upon the people; who only preferred what they called their piety to God, before their inclination to their prince, and the setting up the kingdom of Jesus Christ, before the vindication of a temporal jurisdiction.”

For such an expedient, therefore, they proposed, “that a covenant might be agreed upon between the two kingdoms, for the utter extirpation of prelacy, which that kingdom was satisfied to be a great obstruction to the reformation of religion; and the two houses of parliament had discovered a sufficient aversion from that government, by having passed a bill for their utter abolition, and in the place thereof to erect such a government, as should be most agreeable to God’s word, which they doubted not would be their own presbytery; and that the people being cemented together by such an obligation, would never be severed and disjoined by any temptation.”

There was an easy consent, from the committee of the English, to any expedient that might throughly engage the other nation; and so a form of words was quickly agreed on between them, for a perfect combination and marriage between the parliament and the Scots, in all such particulars, as were most like to be unacceptable to the king; and this form being presently communicated to the convention of estates, and the assembly, as soon found an approbation and concurrence there, with as much solemnity, as was necessary to shew their temper and resolution, and to provoke the consent of the two houses at Westminster, whither it was despatched with all imaginable celerity, and a signification, “that that people were in such a forwardness to advance, that they would be in England as soon as they could be reasonably expected.” And it was indeed apparent enough, that, upon the discipline of the late commotions, and the wise presage and foresight of that people, there was nothing requisite to their march, but the calling them together.

Many were of opinion, that this engagement was proposed “rather to decline being engaged in the quarrel, than out of hope or imagination that the two houses would concur with them; for though there had been a bill passed, before the last treaty with the king, to that purpose, yet they well knew that most of the peers, and persons of quality and interest in the other house, were willing to depart from that overture. Besides, that amongst those who raged jointly against episcopacy, there were so many opinions, that it would be no less difficult to establish their presbytery, than to root out the other government, to which they intended by their covenant equally to oblige them: so that upon this proposition, which was according to the known temper of that nation, they should preserve themselves plausibly, and without seeming to desert their confederates, from bearing any part in the present troubles. However, it would visibly take up so much time, that if there were no ebb in the king’s prosperity and success, he might well finish his work, and this interposition be interpreted for a politic stratagem to amuse the English.” But if this was their stratagem, they

met with people too frank hearted, and unscrupulous to contribute towards it: for the draught of the covenant no sooner came to Westminster, but they shewed a marvellous inclination to it. Yet as well because it was not yet known what success the earl of Essex would have in the relief of Gloucester, which was like to have a shrewd influence upon men’s affections and consciences, as that they might seem to use all necessary deliberation and caution, for the information of their judgments in a new case, that concerned the religion and ecclesiastical fabric of the kingdom, they transmitted it to their assembly of divines, to return their opinion “of the lawfulness of taking it in point of conscience.”

The assembly, besides that it was constituted of members who had all renounced their obedience to their king, and submission to the church of England, by their appearance and presence in that convention, had been lately taught how dangerous it was to dissent from the current opinion of the house of commons: for doctor Featly, (upon whose reputation in learning they had raised great advantages to themselves,) having made many speeches in the assembly in the behalf of “the order of bishops, and their function, and against the alienation of church-lands, as sacrilege,” and especially inveighed against “the liberty that was taken in matter of religion, by which so many sects were grown up to the scandal and reproach of the protestant doctrine, if not of Christianity itself,” had so far incurred their displeasure, and provoked their jealousy, that an ordinary fellow (so well confirmed in spirit, that they doubted not his failing or conversion) was directed to make application to him in cases of conscience, and after he had gotten sufficient credit with him, (which was no hard matter,) to intimate to him, “that he had a sure and unquestionable conveyance to Oxford, or that he was to go thither himself, and if he had any occasions to use his service thither, he would faithfully execute his commands.” The doctor, believing the messenger to be sincere, and the king’s affairs standing then prosperous, gave him letters for the archbishop of Armagh, primate of Ireland, who waited on his majesty; and by this artifice, the same instrument received two or three letters from him, pretending they were still sent by infallible hands; and brought them always to those persons by whom he was intrusted in the work of his imposture.

The letters contained many apologies for himself, “for being engaged in such a congregation, to which he submitted purely out of conscience, and for the service of the king and church, in hope that he might be able to prevent many extravagancies, and to contain those unruly spirits within some bounds of regularity and moderation;” of his endeavours that way, he gave many instances; and sent copies of what he had said in justification of episcopacy, the liturgy, and the established government, and concluded with a desire to his grace, “to procure a good opinion from the king towards him, and some bishopric or deanery for his recompense.” About the time that this agitation was in Scotland, and very little before this covenant was transmitted, these letters were produced, and a charge against that doctor, “for betraying the trust reposed in him, and adhering to the enemy;” and thereupon the poor man was expelled the assembly of divines,

both his livings (for he had two within a very small distance of London) sequestered, his study of books and estate seized, and himself committed to a common gaol, where he continued to his death; which befell him the sooner, through the extreme wants he underwent; so solicitous was that party to remove any impediment that troubled them, and so implacable to any who were weary of their journey, though they had accompanied them very far in their way.

This fresh example the *assembly of godly and learned divines* had before their eyes when this covenant was sent to them for their consideration, and speedy resolution; and according to the haste it required, that clergy returned within two days their full approbation of it; there having been but two ministers who made any pause or scruple of it, and they again soon confessing "they had received satisfaction to their doubts in the debate, and that they were fully convinced of the lawfulness and piety of it." Having received so absolute an approbation and concurrence, and the battle of Newbury being in that time likewise over, (which cleared and removed more doubts, than the assembly had done,) it stuck very few hours with both houses; but being at once judged convenient and lawful, the lords and commons, and their assembly of divines, met together at the church, with great solemnity to take it, on the five and twentieth day of September; a double holyday, by the earl of Essex's triumphant return to London, and this religious exercise.

There, two or three of their divines went up into the pulpit successively, not to preach, but to pray; others, according to their several gifts, to make orations upon the work of the day. They were by them told, "that this oath was such, and in the matter and consequence of it of such concernment, as it was truly worthy of them, *yea* of those kingdoms, *yea* of all the kingdoms of the world: that it could be no other, but the result and answer of such prayers and tears, of such sincerity and sufferings, that three kingdoms should be thus born, or rather new born, in a day: that they were entering upon a work of the greatest moment and concernment to themselves, and to their posterities after them, that ever was undertaken by any of them, or any of their forefathers before them. That it was a duty of the first commandment, and therefore of the highest and noblest order and rank of duties; therefore must come forth attended with choicest graces, fear, humility, and in the greatest simplicity, and plainness of spirit, in respect of those with whom they covenanted. That it was to advance the kingdom of Christ here upon earth, and make Jerusalem once more the praise of the whole earth, notwithstanding all the contradictions of men;" with many such high expressions, which can hardly be conceived, without the view of the records and registry that is kept of them.

It will be here most necessary, that posterity may be informed of the rare conclusion, in which two nations, with such wonderful unanimity, did agree, and which was calculated for the meridian of a third kingdom, (for Ireland is likewise comprehended in it,) to insert this league and covenant in the precise terms in which it was received, and entered into; which was in these words.

*A solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland.*

"We noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the gospel, and commons of all sorts, in the kingdom of England, Scotland, and Ireland, by the providence of God living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty and his posterity, and the true public liberty, safety, and peace of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts, and practices of the enemies of God, against the true religion, and professors thereof, in all places, especially in these three kingdoms, ever since the reformation of religion, and how much their rage, power, and presumption are of late, and at this time, increased and exercised, (whereof the deplorable estate of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are present and public testimonies,) we have now at last, (after other means of supplication, remonstrance, protestations, and sufferings,) for the preservation of ourselves and our religion from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn league and covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear,

1. "That we shall sincerely, really, and constantly, through the grace of God, endeavour, in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and government, according to the word of God, and the example of the best reformed churches; and we shall endeavour to bring the churches of God in the three kingdoms, to the nearest conjunction and uniformity in religion, confession of faith, form of church-government, directory for worship, and catechising; that we, and our posterity after us, may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us.

2. "That we shall, in like manner, without respect of persons, endeavour the extirpation of popery, prelacy, (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy,) superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine, and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive



“ of their plagues ; and that the Lord may be one, “ and his name one in the three kingdoms.

3. “ We shall, with the same sincerity, reality, “ and constancy, in our several vocations, endeavour, with our estates and lives, mutually to “ preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and to “ preserve and defend the king’s majesty’s person and authority, in the preservation and defence of “ the true religion, and liberties of the kingdoms ; “ that the world may bear witness, with our consciences, of our loyalty ; and that we have no “ thoughts or intentions to diminish his majesty’s “ just power and greatness.

4. “ We shall also, with all faithfulness, endeavour the discovery of all such as have been, or “ shall be, incendiaries, malignants, or evil instruments, by hindering the reformation of religion, “ dividing the king from his people, or one of the “ kingdoms from another, or making any factions “ or parties among the people, contrary to this “ league and covenant ; that they may be brought “ to public trial, and receive condign punishment, “ as the degree of their offences shall require or “ deserve, or the supreme judicatories of both “ kingdoms respectively, or others having power “ from them for that effect, shall judge convenient.

5. “ And whereas the happiness of a blessed “ peace between these kingdoms, denied in former “ times to our progenitors, is by the good providence of God granted unto us, and hath been “ lately concluded and settled by both parliaments, “ we shall, each one of us, according to our places “ and interest, endeavour, that they may remain “ conjoined in a firm peace and union to all posterity, and that justice may be done upon the “ wilful opposers thereof, in manner expressed in “ the precedent articles.

6. “ We shall also, according to our places and “ callings, in this common cause of religion, liberty, “ and peace of the kingdoms, assist and defend all “ those that enter into this league and covenant, “ in the maintaining and pursuing thereof ; and “ shall not suffer ourselves, directly or indirectly, “ by whatsoever combination, persuasion, or terror, “ to be divided, and withdrawn from this blessed “ union and conjunction, whether to make defection to the contrary part, or to give ourselves to “ a detestable indifference or neutrality in this “ cause, which so much concerneth the glory of “ God, the good of the kingdoms, and the honour “ of the king ; but shall, all the days of our lives, “ zealously and constantly continue therein, against “ all opposition, and promote the same according “ to our power, against all lets and impediments “ whatsoever. And what we are not able ourselves to suppress or overcome, we shall reveal “ and make known, that it may be timely prevented or removed ; all which we shall do as in “ the sight of God.

“ And because these kingdoms are guilty of “ many sins, and provocations against God, and “ his Son Jesus Christ, as is too manifest by our “ present distresses and dangers, the fruits thereof ; we profess and declare, before God and the “ world, our unfeigned desire to be humbled for “ our own sins, and for the sins of these kingdoms ; especially, that we have not, as we ought, “ valued the inestimable benefit of the gospel, that “ we have not laboured for the purity and power

“ thereof ; and that we have not endeavoured to “ receive Christ in our hearts, nor to walk worthy “ of him in our lives, which are the causes of other “ sins and transgressions so much abounding “ amongst us : and our true and unfeigned purpose, desire, and endeavour for ourselves, and “ all others under our power and charge, both in “ public and in private, in all duties we owe to “ God and man, to amend our lives, and each one “ to go before another in the example of a real “ reformation ; that the Lord may turn away his “ wrath and heavy indignation, and establish these “ churches and kingdoms in truth and peace. “ And this covenant we make in the presence of “ Almighty God, the searcher of all hearts, with a “ true intention to perform the same, as we shall “ answer at that great day, when the secrets of all “ hearts shall be disclosed ; most humbly beseeching the Lord to strengthen us by his holy Spirit, “ for this end ; and to bless our desires and proceedings with such success, as may be a deliverance and safety to his people, and encouragement to other Christian churches, groaning “ under, or in danger of, the yoke of antichristian “ tyranny, to join in the same, or like association “ and covenant, to the glory of God, the enlargement of the kingdom of Jesus Christ, and the “ peace and tranquillity of Christian kingdoms and “ commonwealths.”

As soon as this solemnity was over, which was concluded by Mr. Henderson, (the sole ecclesiastical commissioner from the kingdom of Scotland,) who magnified what they had done, and assured them “ of great success after it, by the experience “ of that nation, who, from their union in their “ first covenant, found nothing hard they proposed “ to themselves ;” and told them, “ that were that “ covenant now painted upon the wall within the “ pope’s palace, it would doubtless put him into “ Belshazzar’s quaking condition ;” the speaker and commons (having first set their hands to the covenant, after they had taken it) returned to their house ; and observing that many of their members were that day absent, the cause whereof was easy to be guessed, they ordered, “ that, as soon as “ they came into the house, the covenant should “ be tendered to them ; and whosoever refused to “ take it, should be proceeded against, as a disaffected person, in such manner as the house “ should think fit.”

And they farther made a special order, “ that all “ the ministers of parish-churches within London “ and Westminster, the suburbs, and the whole “ line of communication, should read and explain “ the covenant to their several congregations, and “ stir them up, the next fast day, to the cheerful “ taking of it :” and particular care was taken, that all the students of the inns of court should be persuaded to receive it. But, over and above these general directions, there was a particular ceremony and application to recommend this covenant to the city and corporation of London, and another use to be made of it. The covenant was not only to bring, but to keep men together, and the taking it had only inclined the Scots to march to their assistance ; they were to have one hundred thousand pounds advanced to them, and paid at Edinburgh, before they would stir ; and how to advance this great sum, was not easy to resolve. All their ordinances for levying of money were spent ;

their issues and disbursements so vast, that no income was sufficient; their exchequer was exhausted, and even their public faith bankrupt: such anticipations upon all kind of receipts, for monies borrowed and already spent, that they had no capital for future security.

The judicature of the house of peers (though their number was but ten, for there was no more at the sentence of justice Berkley) had helped them all they could. Justice Berkley, who had been committed by them to the Tower, shortly after the beginning of the parliament, upon a charge of high treason, and since the beginning of the war, permitted by them to sit as sole judge in the king's bench one whole term, was now brought to judgment; and by their lordships fined the sum of twenty thousand pounds, and made incapable of any place of judicature; and upon an abatement of half, and his liberty, he paid the other ten thousand pounds together, to those persons they appointed to receive it; which, since all fines are due to the king alone, and cannot be disposed but by him, many thought a greater crime than that for which he was sentenced. Baron Trevor, who was fined for the same offence, and suffered still to continue the same office, in which he had committed his misdemeanour, yielded them as much more. But these petty sums were disposed before they were received, and were but small drops to quench the great drought they sustained: so that the reputation and security of this covenant was, amongst other uses, to bring in money too.

And to that purpose, a committee of lords and commons, with some of their divines of the assembly, was sent to the guildhall, where the mayor had called a common council for their reception, to recommend to them "the wonderful advantage and strength their party should gain by taking, and being united in, this covenant; and the desperate condition they were like to be in without it: if the Scots came not to their assistance, which, without this obligation, they could not do, they were in danger to be overwhelmed by the enemy; or at least to make a disadvantageous and dishonourable peace with them; which yet they could not tell how it would be observed and kept. On the other hand, by this famous accession of strength of a whole nation, they should undoubtedly be able to master the war, and to make those who had been the causers of it, defray the charge; and so all the public debts being discharged out of the estates of delinquents and malignants, the kingdom would not be at all impoverished, and the peace, which should hereafter be made with the king, would be sure to be inviolably observed by the strength of this union; and therefore that it could not be purchased at too dear a rate.

"It was," they said, "neither covetousness, nor want of affection and zeal to their relief, that the Scots, who took their cause to heart as their own, desired an advance of money before they drew their army into England, but pure necessity, and the poverty of that kingdom, already exhausted by their late expeditions, and keeping their soldiers together for the good of this. And if there had been money enough in that country to have been procured upon the public stock and revenue, or the mortgage of private estates, to which all men were forward for the public good, their love to their brethren here

"was such, that they would neither have asked nor received money for their assistance, after it had proved effectual; much less, before the yielding it. For evidence of which frank and brotherly inclination, they freely offered the engagement of their own estates, for the repayment of the money that should be advanced:" which was the first time that ever land in Scotland had been offered for security of money, in the city of London. In the end, they very devoutly extolled the covenant, magnified the Scottish nation, with all imaginable attributes of esteem and reverence, "a nation, that had engaged itself to God in a higher way, in a more extraordinary way, than any nation this day upon the face of the earth had done; a nation, that had reformed their lives for so small a time, more than ever any people, that they knew of, in the world had done; a nation, that God had honoured by giving as glorious success unto, as ever he did unto any;" and very earnestly desired the loan of a hundred thousand pounds. The rhetoric and the zeal prevailed; a hundred thousand pounds was promised, and shortly provided, and sent to Edinburgh; and the assurance of the Scots coming so full, that they were looked upon as masters of Newcastle already. With such an alacrity all these things were transacted.

That violent party in the parliament, which never intended any peace with the king, and had more desperate mutations in their purposes, than they avowed, even amongst those who concurred with them in all they desired, did not think themselves secure in the affection of the people, nor in those who had the greatest trust in their affairs. They had seen the great changes in the houses, in the city, and in the country, upon their late ill successes, the defeat of Waller, and the loss of Bristol: and though the earl of Essex still adhered to them, yet they saw he was not pleased, nor favoured one of those men upon whom they most depended; but, on the contrary, all who were countenanced by him, or in his confidence, were men of no principles which they liked, or who desired no other alterations in the court or government, but only of the persons who acted in it: therefore they had taken an opportunity, in the greatest dejection of spirit, and when they looked upon themselves as swallowed up by the king's power, to move, "that they might send into Scotland to their brethren there, to join with them, and to assist them with an army, that they might, by such a conjunction, have an appui that might make them so considerable, as to be treated with, and to receive conditions which might preserve them from ruin:" which proposition, being for so common an interest and benefit, had received a general concurrence; and so that committee of both houses had been sent into Scotland, to put them in mind "of their joint concernment, and how impossible it would be for the Scots long to enjoy the great concessions they had obtained from the king, when the parliament of England, by whose friendship, power, and authority, they had obtained them, should be oppressed, and forced to yield to such conditions for their particular preservations, as the king would think fit to give them, and as they may merit by accepting; and therefore that the parliament expected and desired that they would forthwith give them such an

"assistance as might be sufficient to preserve them both, which could be no other way than by immediately sending a good army into England, which would countenance and support their friends in the north, and keep the earl of Newcastle from being able to march towards London on that side; whilst the king encompassed them on the other, which was the present design." Sir Harry Vane was one of the commissioners, and therefore the other need not be named, since he was all in any business where others were joined with him. [But they were not a little startled, when they found this message had obliged them to a present expense of a hundred thousand pounds, before there was any visible relief given them; and saw themselves involved in new obligations of guilt, and to purposes they really abhorred.]

There hath been scarce any thing more wonderful throughout the progress of these distractions, than that this covenant did with such extraordinary expedition pass the two houses, when all the leading persons in those councils were at the same time known to be as great enemies to presbytery, (the establishment whereof was the sole end of this covenant,) as they were to the king or the church. And he who contributed most to it, and who, in truth, was the principal contriver of it, and the man by whom the committees in Scotland was entirely and stupidly governed, sir Harry Vane the younger, was not afterwards more known to abhor the covenant, and the presbyterians, than he was at that very time known to do, and laughed at them then, as much as ever he did afterwards.

He was indeed a man of extraordinary parts, a pleasant wit, a great understanding, which pierced into and discerned the purposes of other men with wonderful sagacity, whilst he had himself *vultum clausum*, that no man could make a guess of what he intended. He was of a temper not to be moved, and of rare dissimulation, and could comply when it was not seasonable to contradict, without losing ground by the condescension; and if he were not superior to Mr. Hambden, he was inferior to no other man, in all mysterious artifices. There need no more be said of his ability, than that he was chosen to cozen and deceive a whole nation, which excelled in craft and cunning: which he did with notable pregnancy and dexterity, and prevailed with a people, that could not otherwise be prevailed upon than by advancing their idol presbytery, to sacrifice their peace, their interest, and their faith, to the erecting a power and authority that resolved to persecute presbytery to an extirpation; and very near brought their purpose to pass.

The nation of Scotland, in general, had been so fully satisfied in all that they could pretend to desire, that they were very well disposed to be spectators of what was done in England, without engaging themselves in the quarrel; and though there were some powerful men amongst them, whose guilt would not suffer them to believe that they could be otherwise secure, than by the king's want of power to call them to justice, yet their number was not thought so great, as to be able to corrupt the people into a barefaced act of rebellion: nor had they any such face of authority, as to invite them to it. Without a parliament, they could not propose it; the king had absolutely

refused to call a parliament, and it was yet above a year to come, before a parliament could be assembled without the king's consent; and in that time, the king might have the better of his enemies. The commissioners of the parliament had not been long at Edinburgh, before they prevailed with the council to call a parliament; which duke Hamilton, and others, who pretended great devotion to the king, and were of the council, had promised the king to oppose, and said, "they were powerful enough to prevent." When it came to the point, duke Hamilton, being, one way or other, persuaded himself, persuaded others, "that the absolute refusal to suffer a parliament to be called, would not quiet the debate, nor secure the king, but more inflame those who desired it; who would take some other time, when many of them who opposed it should be absent, to propose it; and so would carry it: and that therefore they were better be absent at first, whereby the others might, without opposition, send out their summons for a parliament to assemble, at the day they thought fit; and then, as they who would serve the king would not be there, so they should prevail with as many others as they could, not to be there likewise; whereby the number which appeared would be so inconsiderable, that they would not dare to sit, but presently disperse; and this disappointment would for ever quash that design, and render those who advised it odious to the people; as men who desired illegally to engage the nation in unjustifiable ways, to disturb the public peace."

A summons was accordingly sent out to call a parliament, to meet at a day appointed; before which time, those of the nobility and gentry, who did really desire to serve the king, applied themselves to duke Hamilton, (whose advice and orders the king himself had required them to observe; unhappily still believing him to be faithful,) to know what they should do: many of the principal of them declaring their opinions to him, "that they should take an opportunity to meet together, and bring their friends with them, whereby they might make a good body of horse, and so, with their arms in their hands, they would declare against the legality of that parliament, and the meeting in it;" and named a fit opportunity to him for such a meeting at the funeral of a lady, which was to be within some days, when, according to the custom of that people, great numbers of persons of quality use to assemble, to do honour to the dead in the last obsequies. He told them, "he believed it must come shortly to that remedy, but conceived it not yet time, and that such a meeting would frighten the people, and increase the number in parliament, and make many resort to them for their directions." And he said, "he had changed his former opinion, concerning their own being absent at that time of the meeting of the parliament, since their mere absence would not be discountenance enough, and that they who sat, would carry the reputation of a parliament, and the people would be guided by them, if there were nothing but their absence to work upon their inclinations and affections."

He proposed therefore to them, "that they might all resolve to be present, and take their places; and that, when the house should be sat, and any man should stand up to propose the

"taking any business into consideration, he (the duke) would first make his protestation against proceeding in so illegal a convention, and then they should all make the same protestation; and, he did hope, that the number of the protesters would be great enough to dissolve the meeting; and thus they should put the best end to the matter that could be desired: but if it should succeed otherwise, then would be the time to withdraw and put themselves in arms; towards which he would make the best preparation he could; and desired them to do the like." The earl of Kinoul, and some others, made exceptions against this expedient, and pressed the former meeting at the funeral, till the duke told them, "the king liked the other way better;" and pulled a letter out of his pocket, which he had received from his majesty, and read them so much of it, as contained his approbation, "that they should meet in the parliament;" with which determination they could not but acquiesce, though they thought at the same time, that his majesty was betrayed.

The parliament met at the day; and duke Hamilton, according to his promise, took an opportunity to say somewhat that seemed to imply a protestation against the meeting; upon which, many of the lords, who had been always most engaged against the king, were very warm; and demanded, "that he should declare himself clearly, whether he did protest against the parliament;" whereupon his brother the earl of Lanrick, who was secretary of state to the king, stood up, and said, "that he hoped that noble lord's affection to his country was better known, than that any man could imagine he would protest against the parliament of the kingdom;" and then the duke explained, and excused himself; and said, "he meant no such thing;" and so they declared, "that they would treat with the commissioners, who were sent from the parliament of England;" and appointed commissioners for that purpose.

Some are of opinion, that, even at this time, they did not intend to engage in the war against the king; but that, as a few men cozened the parliament at Westminster, by persuading them, "that they desired only a safe peace," till, by multiplication of indignities, they made it impossible to make a peace that would appear safe; so there was as small a number in Scotland, that overreached the parliament there, by persuading, "that they never intended to do any thing against the king, but that it would be too ingrateful a thing, and render them very odious to the whole English nation, if, after they had received so many obligations from the parliament [there], to whose protection they owed their religion, and all that they enjoyed, they should refuse so much as to treat with them, and to assist them, by their interposition, to procure a good peace for them with the king; which would be a great honour to them; and would be as great an obligation to his majesty, as to the parliament; that this was all that was in their thoughts; and that they would avoid any engagement in a war," not by rejecting the proposition, but by making such demands, as they knew well would never be accepted by the parliament [at Westminster]. Thereupon they told the commissioners from the parliament, "that it would be impossible to engage that nation in a joint concurrence with

them, against the king, but by the influence and authority of their kirk; and that it would be as impossible to procure the consent of their kirk, except by making it evident to them, that the government of the church in England should be reduced to the same model with theirs in Scotland; and that episcopacy should be totally extirpated; and that deans and chapters should be utterly abolished; without which," they said, "they could never think their own government securely established; but if such a promise might be solemnly made, their kirk would be thoroughly engaged, and the nation, to a man, would enter into the quarrel."

Sir Harry Vane was not surprised with the proposition, which he had long foreseen, and came resolved to pay their own price for their friendship. Thereupon, the covenant was prepared, and other propositions made for the present furnishing a great sum of money, to enable them to begin their levies; and many extravagant conditions proposed, for the payment of the army, and other vast expenses, that they did not believe the commissioners would yield, or that the parliament would perform, if they were yielded unto. Nothing of money, or honour, was insisted upon, and they came provided with some letters of credit, that as little time might be lost as was possible, in making all necessary preparations. The covenant was the matter of difficulty; they knowing well, that many of their greatest friends, both in the parliament and the army, had not any mind to change the government of the church; to which the people of England were not generally disaffected.

Sir Harry Vane therefore (who equally hated episcopacy and presbytery, save that he wished the one abolished with much impatience, believing it much easier to keep the other from being established, whatever they promised, than to be rid of that which was settled in the kingdom) carefully considered the covenant, and after he had altered and changed many expressions in it, and made them doubtful enough to bear many interpretations, he, and his fellow commissioners, signed the whole treaty; whereby it was provided, "That the covenant should be taken throughout all his majesty's dominions; that a committee of the Scots should always sit with the close committee at Westminster for the carrying on of the war with equal authority; that there should be no treaty of peace with the king, without the joint consent of the parliaments of both kingdoms;" and many other particulars, very derogatory to the honour of the English nation; and with all possible expedition sent it to the close committee at Westminster; in the time of their consternation, and before the relief of Gloucester; which transmitted it presently back to them, allowed and confirmed.

And thereupon the parliament at Edinburgh resolved to raise a great army, and to invade England; and their old general Lesley, who had so solemnly promised the king, not only "never to bear arms against him, but to serve him, let the cause be what it would," without any hesitation undertook the command of it. All this time, duke Hamilton looked on, and sometimes sat with them; and when the first proclamation was prepared, in the king's name, for a general rendezvous of all men, from such an age to such an age, at

such a time and place, that so their army might be presently formed, the earl of Lanrick put the king's signet, with the keeping whereof he was trusted, to the said proclamation : and all this being done, both the brothers left Scotland, to give the king an account at Oxford of all the proceedings : many of the nobility of that kingdom, who did heartily wish well to the king, having come away from thence, after the first day's meeting of their parliament, (and when the duke had broken his promise to them,) and informed his majesty at large of that which they thought foul infidelity.

The discomposures, jealousies, and disgusts, which reigned at Oxford, produced great inconveniences ; and as, many times, men in a scuffle lose their weapons, and light upon those which belonged to their adversaries, who again arm themselves with those which belonged to the others, such, one would have thought, had been the fortune of the king's army in the encounters with the enemy's : for those under the king's commanders grew insensibly into all the license, disorder, and impiety, with which they had reproached the rebels ; and they again, into great discipline, diligence, and sobriety ; which begat courage and resolution in them, and notable dexterity in achievements and enterprises. Insomuch as one side seemed to fight for monarchy, with the weapons of confusion, and the other to destroy the king and government, with all the principles and regularity of monarchy.

In the beginning of the troubles, the king had very prudently resolved with himself, to confer no honours, or bestow any offices or preferments, upon any, till the end and conclusion of the service ; and if that resolution had continued, he would have found much ease by it, and his service great advantage. The necessity and exigents of the war, shortly after, made some breach into this seasonable resolution, and, for ready money to carry on the war, his majesty was compelled, against his nature, to dispense some favours, which he would not willingly have suffered to be purchased, but by virtue and high merit. Then all men thought money and money-worth to be all one ; and that whosoever, by his service, had deserved a reward of money, had deserved any thing that might be had for money. And when it was apparent, that the war was like to prove a business of time, it was thought unreasonable, that the king should not confer rewards on some, which he was able to do, because he could not do it on all, which was confessedly out of his power. And so, by importunity, and upon the title of old promises, and some conveniences of his service, he bestowed honours upon some principal officers of his army, and offices upon others ; to which, though, in the particulars, no just exceptions could be taken, yet many were angry to see some preferred ; and not so much extolling their own merit and service, as making it equal to those whom they saw advanced, every man thought himself neglected and slighted, in that another was better esteemed.

And this poison of envy wrought upon many natures, which had skill enough not to confess it : the soldiers, albeit they were emulous amongst themselves, and very unsatisfied with one another, (there being unhappy animosities amongst the principal officers,) yet they were too well united, and reconciled against any other body of men ; and thinking the king's crown depended wholly

on the fortune of their swords, believed no other persons to be considerable, and no councils fit to be consulted with, but the martial ; and thence proceeded a fatal disrespect and irreverence to the council of state, to which, by the wholesome constitution of the kingdom, the militia, garrisons, and all martial power is purely and naturally subordinate ; and by the authority and prudence whereof, provision could be only reasonably expected, for the countenance and support of the army.

The general and prince Rupert were both strangers to the government and custom of the kingdom, and utterly unacquainted with the nobility, and the public ministers, or with their rights : and the prince's heart was so wholly set upon actions of war, that he not only neglected, but too much contemned, the peaceable and civil arts, which were most necessary even to the carrying on of the other. And certainly, somewhat like that which Plutarch says of soothsaying, " that " Octavius lost his life by trusting to it, and that " Marius prospered the better, because he did not " altogether despise it," may be said of popularity : though he that too immoderately and importunately affects it (which was the case of the earl of Essex) will hardly continue innocent ; yet he who too affectedly despises or neglects what is said of him, or what is generally thought of persons or things, and too stoically contemns the affections of men, even of the vulgar, (be his other abilities and virtues what can be imagined,) will, in some conjuncture of time, find himself very unfortunate. And it may be, a better reason cannot be assigned for the misfortunes that hopeful young prince (who had great parts of mind, as well as vigour of body, and an incomparable personal courage) underwent, and the kingdom thereby, than that roughness and unpolishedness of his nature ; which rendered him less patient to hear, and consequently less skilful to judge of those things, which should have guided him in the discharge of his important trust : and thence making an unskilful judgment of the unusefulness of the councils, by his observation of the infirmities and weakness of some particular counsellors, he grew to a full disesteem of the acts of that board ; which must be accounted venerable, as long as the regal power is exercised in England.

And I cannot but, on this occasion, continue this digression thus much farther, to observe, that they who avoid public debates in council, or think them of less moment, upon undervaluing the persons of some counsellors, and from the particular infirmities of the men, the heaviness of this man, the levity of that, the weakness and simplicity of a third, conclude, that their advice and opinions are not requisite to any great design, are exceedingly deceived ; and will perniciously deceive others who are misled by those conclusions. For it is in wisdom, as it is in beauty, a face that, being taken in pieces, affords scarce one exact feature, an eye, or a nose, or a tooth, or a brow, or a mouth, against which a visible just exception cannot be taken, yet altogether, by a gracefulness and vivacity in the whole, may constitute an excellent beauty, and be more catching than another, whose symmetry is more faultless ; so there are many men, who in this particular argument may be unskilful, in that affected, who may seem to have levity, or vanity, or formality, in ordinary and cursory conversation,

(a very crooked rule to measure any man's abilities, as giving a better measure of the humour, than of the understanding,) and yet in formed counsels, deliberations, and transactions, are men of great insight, and wisdom, and from whom excellent assistance may be contributed.

And no question, all great enterprises and designs, that are to be executed, have many parts, even in the projection, fit for the survey and disquisition of several faculties and abilities, and equally for the decision of sharper and more phlegmatic understandings. And we often hear, in debates of great moment, animadversions of more weight and consequence, from those whose ordinary conversation is not so delightful, than from men of more sublime parts. Certainly Solomon very well understood himself, when he said, *In the multitude of counsellors there is safety.* And though it were confessed, that reason would be better discovered, and stated, and conclusions easier made by a few, than by a greater number, yet when the execution depends on many, and the general interpretation so much depends on the success, and the success on the interpretation, we see those counsels most prosperous, whereof the considerations and deliberations have been measured by that standard which is most publicly acknowledged and received. And he hath had but small experience in the managing affairs, who is not able experimentally to name to himself some very good and useful conclusions, which have therefore only succeeded amiss, because they were not communicated to those, who had reason to believe themselves competent parties to the secret. There was seldom ever yet that public-heartedness sunk into the breasts of men, that they were long willing to be left out in those transactions, to the privacy whereof they had a right. And therefore men have been often willing enough, any single advice should miscarry, of whatsoever general concernment, rather than contribute to the fame of some one man, who has thought their approbation not worth the providing for. And though the objection of secrecy and despatch seems to favour a small number, and a reservation of communicating, yet (except in those few cases, which in their nature are to be consulted, and acted together, and the full execution whereof may be by a few) I am not sure that the inconvenience will be greater by a necessary delay, or even by such a discovery, as may be supposed to proceed from the levity of a counsellor, (futile and malicious natures ought not to be supposed to be admitted into that rank of men,) than by wanting the approbation and concurrence of those, (admitting there could be no benefit from their information,) who will unavoidably know it soon enough to add to, or take from, the success, at least the reputation. And from this root much of the negligence and disrespect towards the civil councils proceeded. For as all corporations, tribes, and fraternities, suffer most by the malignity of some of their own members; so the jealousy and indisposition of some counsellors contributed much to the disregard which fell upon the order; and in them, upon the king.

Amongst those who were nearest the king's trust, and to whom he communicated the greatest secrets in his affairs, there were some, who from private, though very good, conditions of life, without such an application to court as usually ushered

in those promotions, were ascended to that preferment; and were believed to have an equal interest with any, in their master's estimation. And these were sure to find no more charity from the court, than from the army; and having had lately so many equals, it was thought no presumption, freely to censure all they did, or spake; what effect soever such freedom had upon the public policy and transactions. It were to be wished, that persons of the greatest birth, honour, and fortune, would take that care of themselves by education, industry, literature, and a love of virtue, to surpass all other men in knowledge, and all other qualifications, necessary for great actions, as far as they do in quality and titles, that princes, out of them, might always choose men fit for all employments, and high trusts; which would exceedingly advance their service; when the reputation and respect of the person carries somewhat with it that facilitates the business. And it cannot easily be expressed, nor comprehended by any who have not felt the weight and burden of the envy, which naturally attends upon those promotions, which seem to be *per saltum*, how great straits and difficulties such ministers are forced to wrestle with, and by which the charges, with which they are intrusted, must proportionably suffer, let the integrity and wisdom of the men be what it can be supposed to be. Neither is the patience, temper and dexterity, to carry a man through those straits, easily attained; it being very hard, in the morning of preferment, to keep an even temper of mind, between the care to preserve the dignity of the place committed to him, (without which he shall expose himself to a thousand unchaste attempts, and dishonour the judgment that promoted him, by appearing too vile for such a trust,) and the caution, that his nature be not really exalted to an overweening pride and folly, upon the privilege of his place; which will expose him to much more contempt than the former; and therefore [is], with a more exact guard upon a man's self, to be avoided: the errors of gentleness and civility being much more easily reformed, as well as endured, than the other of arrogance and ostentation.

The best provision that such men can make for their voyage, besides a stock of innocence that cannot be impaired, and a firm confidence in God Almighty, that he will never suffer that innocence to be utterly oppressed, or notoriously defamed, is, an expectation of those gusts and storms of rumour, detraction, and envy; and a resolution not to be over sensible of all calumnies, unkindness, or injustice; but to believe, that, by being preferred before other men, they have an obligation upon them, to suffer more than other men would do; and that the best way to convince scandals, and misreports, is, by neglecting them, to appear not to have deserved them. And there is not a more troublesome passion, or that often draws more inconveniences with it, than that which proceeds from the indignation of being unjustly calumniated, and from the pride of an upright conscience; when men cannot endure to be spoken ill of, if they have not deserved it: in which distemper, though they free themselves from the errors, or infirmities, with which they were traduced, they commonly discover others, of which they had never been suspected. In a word, let no man think, that is once entered into the list, he can by any skill, or comportment, prevent these conflicts and assaults; or by any

stubborn or impetuous humour, suppress and prevail over them : but let him look upon it as purgatory he is unavoidably to pass through, and depend upon Providence, and time, for a vindication ; and by performing all the duties of his place to the end with justice, integrity, and uprightness, give all men cause to believe, he was worthy of it the first hour, which is a triumph very lawful to be affected.

As these distempers, indispositions, and infirmities of particular men had a great influence upon the public affairs, and disturbed and weakened the whole frame and fabric of the king's designs ; so no particular man was more disquieted by them, than the king himself ; who, in his person, as well as in his business, suffered all the vexation of the rude, petulant, and discontented humours of court and army. His majesty now paid interest for all the benefit and advantage he had received in the beginning of the war, by his gentleness, and princely affability to all men, and by descending somewhat from the forms of majesty, which he had, in his former life, observed with all punctuality. He vouchsafed then himself to receive any addresses, and overtures for his service, and to hold discourse with all men who brought devotion to him ; and he must be now troubled with the complaints, and murmurs, and humours of all ; and how frivolous and unreasonable soever the cause was, his majesty was put both to inform and temper their understandings. No man would receive an answer but from himself, and expected a better from him, than he must have been contented to have received from any body else. Every man magnified the service he had done, and his ability and interest to do greater, and proposed honour and reward equal to both in his own sense. And if he received not an answer to his mind, he grew sullen, complained, "he was neglected," and resolved, or pretended so, "to quit the service, and to travel into some foreign kingdom." He is deceived that believes the ordinary carriage and state of a king to be matters of indifferency, and of no relation to his greatness. They are the outworks, which preserve majesty itself from approaches and surprisal. We find that the queen of Sheba was amazed at the meat of Solomon's table, and the sitting of his servants, and the attendance of his ministers, and their apparel, and his cup-bearers, &c. as so great instances of Solomon's wisdom, that *there was no more spirit in her*. And no doubt, whosoever inconsiderately departs from those forms, and trappings, and ornaments of his dignity and preeminence, will hardly, at some time, be able to preserve the body itself of majesty, from intrusion, invasion, and violation.

And let no man think, that the king had now no hard task to master these troubles, and that a short and sharp blast of royal severity would easily have dispersed these clouds. The disease was too violent and catching, and the contagion too universal, to be cured by that remedy ; neither were the symptoms, or effects, the same in all constitutions. It cannot be imagined, into how many several shapes men's indispositions were put, and the many artifices which were used to get honours, offices, preferments, and the waywardness and perverseness, which attended the being disappointed of their own hopes. One man had been named for such a place, that is, himself and his friends had given it out, that he should have

it, when, it may be, he was too modest to pretend to it ; and upon this vogue he had a title ; and if it should be conferred upon another, it would be a mark of the king's disfavour to him ; and thereby he should lose the ability, and credit, without which he could do no farther service. Another suggested, that his friends and companions in consort had all received some obligation, and if he alone should remain without some testimony of favour, it would be a brand upon him of some signal unworthiness. No man was so hardhearted to himself, as not to be able to give a reason for any thing he desired ; and he commonly had best success, who prosecuted his own wishes with most boldness and importunity ; neither was there a better, or another reason for some men's preferment, than that they had set their hearts upon it, and would have it. And it was a great temptation to modest natures, to find forward men had so good fortune, that the want of success began to be imputed to want of wit.

I remember, once, a person of good quality, and of a good name in action, came to me very pensive, and told me, "how conscientiously he had served the king, without any private designs, or other thoughts, than the discharge of his own duty, and rendering the performance of that duty acceptable to his majesty ; yet that, to his unspeakable discomfort, he found, he had been misrepresented to the king, and that his majesty had entertained a sinister opinion of him, and desired me to learn what the ground of the prejudice was, and by my good testimony to endeavour to remove it." I had a very good opinion of the person, and believed the king had so, and therefore persuaded him, that the jealousy was groundless, and pressed to know, from whence he received those impressions ; he excused himself in the particular, and assured me, "that he had his advertisement from a sure hand, which was to be concealed, and not doubted ; that, upon my inquiry, I would find it true, though he could not imagine the cause." I promised him, "I would press the king very heartily in it, and if there were any thing that stuck with him, I presumed his majesty would be so gracious to let me know it ;" and accordingly, having shortly after an opportunity to wait on his majesty, I told him the true narrative of what had passed, with my observation of the general comportment of that gentleman, and besought his majesty, "if any ill offices had been done him, or that any prejudice towards him was lodged in his royal breast, that he would graciously vouchsafe to tell me what it was, and that he would allow him an access, to clear himself from any imputations." The king very cheerfully assured me, "that he had not only a very good opinion of that gentleman, but that he was most assured, he had no real suspicion to the contrary ;" and therefore bad me "proceed to the other part of my business." I told him, "I had no more, and that I was sure, I should make a very happy man by satisfying him of what I found." Then said the king, "You are not thoroughly instructed, for the other half of this business must be a suit." I replied, "if that were so, I was yet more ignorant than I suspected myself." The gentleman shortly after came to me, in pain, as I thought, with the jealousy of being in umbrage ; and when I gave him pregnant assurance to the contrary, with the men-



tion of some expressions the king had used, which were indeed very gracious, he seemed to receive it with such a countenance and gusto, that I verily believed he had had his heart's desire. But, the next morning, he came to me again, and told me, "that I had made him abundantly happy, and that he doubted not there was no just ground for the other reports, but only the malice of those who wished them true; yet, that they had lessened his credit abroad, even with his friends; and that he found there was no way to keep up his reputation and interest in the world, whereby he might be able to do the king service, (which was all he looked after,) but the receiving some testimony of the king's good opinion, which would be a public evidence, that the other discourses were false." I was surprised, and as much out of countenance, as he should have been; and advised him "to patience, and to expect the king's own time, and method, rather than to quicken him by any importunity, which would give an ill relish to any obligation." He would not understand that philosophy, but shortly after found some other means to press the king very roundly for a place, upon the title of that good opinion he had declared to me to hold of him; not without some implication, "that, without some such earnest of his majesty's goodness, he should not be able to continue in his service;" which probably was one of the modest addresses, which were made to him at that time. And it cannot be denied, this way the king's trouble was so great, that he many times suffered more vexation and trouble from the indisposition and humours of his own people, than from the enemy, or the apprehension of their counsels: which hath made me enlarge this digression so much; conceiving it no less to be a part of history, and more useful to posterity, to leave a character of the times, than of the persons, or the narrative of the matters of fact, which cannot be so well understood, as by knowing the genius that prevailed when they were transacted.

The best expedient his majesty could find to dispel these fumes, was motion and action; and therefore, though the season of the year was too far spent, and too many officers hurt, for the taking the field again, besides that many regiments were returned to their old posts, (as the Welsh to defend their own country from the incursions from Gloucester, and to reduce some towns in Pembroke-shire, which, lying on the sea, by the help of the parliament ships, begun to fortify and gather strength,) yet he resolved his forces about Oxford should not lie still.

In the beginning of October, prince Rupert, with a strong party of horse, foot, and dragoons, marched into Bedfordshire, and took the town of Bedford, and in it a party of the enemy, who used it only as a strong quarter. This expedition was principally to countenance sir Lewis Dives, whilst he fortified Newport Pannel, where he hoped to fix a garrison; which would have made a more direct line of communication with the northern parts, and restrained the commerce between London and their associated counties; which they well understood; and therefore, upon the first news of it, the earl of Essex removed his head-quarters from Windsor to St. Alban's; and the trained bands of London, and their auxiliary regiments, marched again to him for his recruit; upon the advance-

ment whereof, and a mistake of orders from Oxford, sir Lewis Dives drew off his forces from Newport Pannel; and the enemy presently possessed themselves of it, and made it a very useful garrison. Upon which, prince Rupert fortified Tossiter, a town in Northamptonshire, and left a strong garrison there; which, though it infested the enemy somewhat, and took great revenge upon those counties, which had expressed a violent affection to the parliament, in truth, added little strength to the king; for he lost many horse by the labour of duty, the greatest part of the body of his horse being forced to quarter near that place, for the security of the foot, till the works about the town were in such a forwardness, that they needed not fear their neighbours at St. Alban's.

In the mean time, the power of the parliament was least manifest in the west, where their party was reduced to a lowness, and confined within narrow limits after the taking of Exeter; the gentlemen of that county having been generally well devoted to the king's service, though never able safely to declare it, at least to appear in a posture of opposing the violence of the other party. Prince Maurice found a general concurrence to advance the great work, by levies of money, men, and all offices that could be expected; inasmuch as, within very few days after the surrender of that town, his army of foot, by the new levies, contained no fewer than seven thousand men, (which was a body the west had not before seen,) besides a body of horse, at least proportionable to the other; and all in excellent equipage for action. And at the same time, colonel John Digby was before Plymouth, with above three thousand foot, and six hundred horse, and had taken a work from the enemy of great importance, called Mount Stamford in honour of that earl during the time of his abode there, within half a mile of the town, and which commanded some part of the river; the loss whereof gave the town a marvellous discouragement.

The first error the prince committed after the reducing of Exeter, was staying too long there before he advanced, for victorious armies carry great terror with them, whilst the memory and fame of the victory is fresh. The next, that he moved not directly towards Plymouth, when he did move; which, in all probability, would have yielded upon his approach: for the town was full of distraction, and jealousy amongst themselves, as well as unprovided for the reception of an enemy. It was a rich and populous corporation, being, in time of peace, the greatest port for trade in the west; and, except Bristol, greater than all the rest. There was in it a castle very strong towards the sea, with good platforms and ordnance; and little more than musket-shot from the town, was an island with a fort in it, much stronger than the castle; both which were, before the troubles, under the command of a captain, with a garrison of about fifty men at the most; and [were] only intended for a security, and defence of the town against a foreign invasion; the castle and the island together having a good command of the entrance into the harbour, but towards the land there was very little strength. This command was in the hands of sir Jacob Ashley, and as unprovided to expect or resist an enemy, as the other castles and forts of the kingdom; there being only ordnance and ammunition, without any other



provisions for the support of the soldiers within the walls; less for the receiving a recruit; and the garrison itself being by time, marriages, and trade, incorporated into the town, and rather citizens than soldiers; so that sir Jacob Ashley being sent for to the king, before his setting up his standard, as soon as there was any apprehension of a party for the king in Cornwall, after the appearing of sir Ralph Hopton, and those other gentlemen there, the mayor and corporation of Plymouth quickly got both the castle and island into their own power.

It will be wondered at by many hereafter, that those, and the like places of strength in England, being under the command of persons entirely of his majesty's nomination, were not put into a good posture of defence, when it grew first evident, that there would be shortly occasion to use them; for according to the old story in *Ælian*, that when in one of the states of Greece, Micippus's sheep brought forth a lion, it was generally and justly concluded, that that portended a tyranny, and change of the state from a peaceable to a bloody government; so when the two houses of parliament first produced a sovereign power, to make, and alter, and suspend laws, before they raised an army, or made a general, or declared war; when that mild and innocent sheep, that legal regular convention of a sober and modest council, had once brought forth that lion which sought whom he might devour, it might be easily and naturally concluded by all wise and sober men, that the blessed calm, and temperate state of government, by which every man eat the fruit of his own vine, was at an end; and rapine, blood, and desolation, to succeed; and therefore that those holds should, in reason, have been then provided for.

But I shall say here once for all, that from the time that there was any reasonable jealousy of a war, it was never in the king's power to mend the condition of either of those places; and if he had attempted it, with what caution or secrecy soever, the inconvenience he must have sustained by it, besides the failing of his end, would have been much greater than the advantage which could have accrued, if he had done what he desired. I have very ill described the times we have passed through, if that be not apparent; and that it was rather an error of the former times, that those places needed any supply, than that it was not applied to them in the succeeding.

The parliament was very glad Plymouth was thus secured; and, as well to put an obligation upon all corporations, by shewing they thought them capable of the greatest trusts, as because they could not, in truth, more reasonably confide in any other, they committed the government thereof to that mayor; who was well enough instructed, what respect to pay to their committee; which was appointed to reside there for his assistance, and to conduct the affairs in those parts. Of that committee, sir Alexander Carew was one; a gentleman of a good fortune in Cornwall, who served in parliament as knight for that county, and had, from the beginning of the parliament, concurred in all conclusions with the most violent, with as full a testimony of that zeal and fury, to which their confidence was applied, as any man. To him the custody and government of that fort and island, which was looked upon as the security of the town, was committed; and a sufficient gar-

rison put into it. The mayor commanded the castle and the town, about which a line was cast up of earth, weak and irregular.

After the battle of Stratton, and that the king's forces prevailed so far over the west, that Bristol was taken by them, and Exeter closely besieged, sir Alexander Carew begun to think his island and fort would hardly secure his estate in Cornwall; and understood the law so well (for he had had a good education) to know, that the side he had chosen would be no longer the better, than it should continue the stronger; and having originally followed no other motives, than of popularity and interests, resolved now to redeem his errors; and found means to correspond with some of his old friends and neighbours in Cornwall, and, by them, to make a direct overture to surrender that fort and island to the king, upon an assurance of his majesty's pardon, and a full remission of his offences. Sir John Berkley, who then lay before Exeter, was the next supreme officer, qualified to entertain such a treaty; and he, instantly, by the same conveyance, returned him as ample assurance of his own conditions as could be; with advice, "that he should not, upon any defect of forms, (which, upon his engagement, should be supplied with all possible expedition, to his own satisfaction,) defer the consummating the work; which hereafter, possibly, might not be in his power to effect:" designs of that nature being to be consulted and executed together; for in those cases, according to Mutianus in Tacitus, *Qui deliberant, desciderunt*; and the greatest danger attends the not going on. But he was so sottishly and dangerously wary of his own security, (having neither courage enough to obey his conscience, nor wickedness enough to be prosperous against it,) that he would not proceed, till he was sufficiently assured, that his pardon was passed the great seal of England; before which time, though all imaginable haste was made, by the treachery of a servant whom he trusted, his treaty and design was discovered to the mayor, and the rest of the committee; and, according to the diligence used in cases of such concernment, he was suddenly, and without resistance, surprised in his fort, and carried prisoner into Plymouth: and from thence, by sea, sent to London; where what became of him, will be remembered in its place.

Shortly after this accident, colonel Digby came before the town; and though the great damage was by this means prevented, yet it cannot be imagined, but the people were in great distraction, with the apprehension of the danger they had escaped; and those discoveries bring always that melancholy with them, that men are not quickly again brought to a confidence in one another. For no man had, to common understanding, better deserved to be trusted, or given less argument for suspicion: and upon such a defection, who could hope to stand free from jealousy? Besides, he could not but have had much familiarity with many in the town, which must object them to some suspicion, or, at least, make them suspect that they were suspected; and, without doubt, it awakened many to apprehend the immediate hand of God in the judgment, that he would not suffer a man to recover the security and comfort of his allegiance, who had so signally departed from it against the light of his own conscience; and that a man, who had been before precipitate

against all reason, should perish by considering too much, when precipitation was only reasonable.

The fame of the winning of Exeter, by which a victorious army was at liberty to visit them, and then the loss of Mount Stamford, which was their only considerable fortification to the land, with those other discomposures, wrought a wonderful consternation amongst them; and made them consider, that if they could hold out, and defend their town, the country being all lost, they must lose all their trade, and so from merchants become only soldiers; which was not the condition they contended for. Insomuch as the mayor himself was not without a propensity to send for a treaty, upon which the town might be delivered to the king: and it was by many then believed, that if prince Maurice had then marched from Exeter before it, that treaty would infallibly have ensued. But when I say it was an error that he did not, I intend it rather as a misfortune than a fault; for his highness was an utter stranger in those parts; and therefore was not, without great appearance of reason, persuaded first to bend his course to Dartmouth; which was looked upon "as an easy work, and a harbour, which, being got, would draw a very good trade: and that short work being performed, Plymouth would have the less courage to make resistance; and if it should, it were much fitter for the winter, which was now drawing on," (for it was more than the middle of September,) "than the other, by reason of the conveniency of good accommodation for the soldiers, near about it; which could not be had about Dartmouth."

Upon these reasons, he marched directly to Dartmouth, which, how unfit soever to make a defence against such an army, by the disadvantage of situation, and the absence of all those helps which use to contract a confidence, he found in no temper and disposition to yield; so that he sat down before it. And shortly after, there came so violent a season of rain, and foul weather, that very many of his men, with lying on the ground, fell sick, and died; and more ran away. Yet, after near a month's siege, and the loss of many good men, (whereof the same colonel Chudleigh, of whom we spake before, was one, a gallant young gentleman, who received a shot with a musket in the body, of which he died within few days, and was a wonderful loss to the king's service,) it was given up on fair conditions; and then the prince, having placed a garrison there, under the command of colonel Seymour, a gentleman of principal account and interest in Devonshire, lost no more time, but, with all convenient expedition, marched to Plymouth; which was not now in the state it had been; for the parliament, being quickly informed how terrible an impression the loss of almost all other parts of the west had made upon the spirits of that people, had before this time sent a recruit of five hundred men, and a Scotch officer to be governor; who eased the mayor of that unequal charge, and quickly made it evident, that nothing but a peremptory defence was thought of. So the prince sat down before it with an army much inferior, after he had joined with colonel Digby, to that with which he had marched from Exeter to Dartmouth; yet with much confidence to reduce that town, before the winter should be over.

Though the king's success, and good fortune, had met with a check in the relief of Gloucester, and the battle of Newbury, yet his condition seemed mightily improved by the whole summer's service. For whereas he seemed before confined, upon the matter, within Oxfordshire and half Berkshire, (which half was lost too upon the loss of Reading in the spring,) and the parties, which appeared for him in other counties, seemed rather sufficient to hinder a general union against him, than that they were like to reduce them to his devotion; he was now, upon the matter, master of the whole west; Cornwall was his own without a rival; Plymouth was the only place, in all Devonshire, unreduced; and those forces shut within their own walls: the large rich county of Somerset with Bristol, the second county in the kingdom, entirely his: in Dorsetshire, the enemy had only two little fishertowns, Poole and Lyme; all the rest was declared for the king. And in every of these counties, he had plenty of harbours and ports, to supply him with ammunition, and the country with trade. In Wiltshire the enemy had not the least footing, and rather a town or two in Hampshire, than any possession of the county; that people being generally undevoted to them: the whole principality of Wales, except a sea town or two in Pembroke-shire, was at his devotion; and that unfortunate obstinate town of Gloucester only kept him from commanding the whole Severn. The parliament was nothing stronger in Shropshire, Cheshire, and Lancashire, than they were in the beginning of the year. And albeit the marquis of Newcastle had been forced to rise as unfortunately from Hull, as the king had been from Gloucester, yet he had still a full power over Yorkshire, and a greater in Nottinghamshire, and Lincolnshire, than the parliament had. So that he might be thought to be now strong enough to make war; the contrary opinion whereof had been one of the greatest reasons that there was no peace. And therefore many believed, that, what appearance soever there was of obstinacy, the winter would produce some overtures of accommodation; and that all the noise of preparation from Scotland, was only to incline the king to the greater condescensions; and that, in truth, they who had pretended the concurrent desire of the people, as the best reason for whatsoever they had proposed, and traduced the king with a purpose of bringing in foreign forces to awe and impose upon his own subjects, would not now have the hardness to bring in a stranger nation to invade their country, and to compel that people, by whose affections they would be thought to be guided, to submit to changes they had no mind to receive. And the arrival of the count of Harcourt, as extraordinary ambassador from the crown of France, was looked upon as an expedient to usher in some treaty, and to remove those ceremonies, and preliminary propositions, which, by reason of the mutual declarations and protestations against each other, might be thought of greater difficulty, than any real differences between them.

The king himself was not without expectation of notable effects from this embassy; for the state of France seemed to be much altered from what it was at the beginning of these troubles. Cardinal Richelieu, who, the king well knew, had more than fomented the troubles both in England and Scotland, was now dead; and the king of France him-

self likewise; and those old ministers of state who had been long in the bastille, or banished, were now set at liberty, and recalled, and in favour; the queen mother made regent; who professed great personal kindness to the queen of England, and so great a sense of the indignities the king and she suffered, that she seemed sensible, that France had contributed too much to them, and to think, that the interest, as well as honour, of that crown was concerned to buoy up the monarchy of England; with intimations, "that the king himself should direct what way he would be served by that crown." The first evidence they gave of meaning as they said, was the revocation of monsieur la Ferté Senneterre, the ambassador then resident in England; who had contracted a wonderful familiarity with the fiercest managers of the parliament, and done the king all imaginable disservice; insomuch as he had industriously persuaded some English priests and Jesuits, to engage those of the Romish persuasion, by no means to assist the king; with a full assurance, "that the parliament would allow them liberty of conscience." This minister his majesty desired might be recalled; which was not only suddenly done, but a private intimation likewise [given] to our queen, "that she should nominate what person should be employed in his place; who should wholly guide himself by her instructions:" and her majesty was led to make choice of monsieur le conte d'Harcourt, one of the principal persons of that kingdom, being a prince of the house of Lorraine, and so allied to the king, and grand escuier of France; and had been their late fortunate general in Catalonia, where he had given the Spaniard the greatest defeat they had received; which was not thought an unseasonable qualification in an ambassador, whose business was to mediate a peace.

His reception at London was with much solemnity, that he might not find there was any absence of ceremony or state, by the absence of the king; yet when he had a safe conduct for Oxford, his carriages were stopped at the going out of London, and his own coach, as well as all other places, searched with great and unusual rudeness, upon suspicion that he carried letters; and though he expostulated the affront, as a high violation of his honour and privilege, he received no manner of reparation, or the officer, that did it, any reprehension; which made many believe that he would have been very keen in the resentment. The king expected that, by this ambassador, the crown of France would have made a brisk declaration on his majesty's behalf; and if the parliament should not return to their regular obedience, that they should have found no correspondence or reception in that kingdom; and that they would really assist his majesty, in such a manner as he should propose; which declaration, he thought, would prove of moment with the city of London, in respect of their trade; but more with the Scots, who were understood to have an especial dependence upon France.

When the ambassador returned from his audience at Oxford, where he stayed not many days, he sent a paper to the earl of Northumberland, by which he desired his lordship, "to impart to the messieurs of parliament, that he had made known to their majesties, the affectionate desire the king his master, and the queen his mistress, had to contribute all good offices, in the pro-

curement of peace and tranquillity in this kingdom; to which he found the desires of their majesties well disposed; and therefore he desired to know, if his lordship thought the two houses did correspond in the same intention: if they did, after they should make him understand the subject that had obliged them to take up arms, he would interpose to pacify the differences, by such expedients, as should be most conformable to the ancient laws and customs of the realm."

After the earl of Northumberland had informed the house of peers of this representation, it was, at a conference, imparted to the house of commons, and an answer was framed by joint agreement, to be returned by the earl of Northumberland to the ambassador. In the form of it, they gave him the title of *prince of Harcourt*, and *grand escuier of France*; but omitted that of *extraordinary ambassador in England*, because it did not appear to the parliament, by letters of credence, or the sight of his instructions from the king, or queen regent of France, that he was by them employed extraordinary ambassador into England.

The answer itself was, "that the lords and commons in parliament did, with all due respects, accept of the affectionate desires of the king, and queen regent of France, to contribute good offices towards the procuring a happy peace; and that, when the said monsieur le prince d'Harcourt should make any such propositions to the parliament, by authority from their majesties of France, they would give then such an answer to the same, as might stand with the interest of both kingdoms, and their late solemn league and covenant." The lords proposed, "that there might be a committee appointed to treat with the ambassador:" but the commons would by no means consent to it, "till he should make it manifest, that he had authority from his master to treat with the parliament;" and withal they declared, "that if he had, at any time, any thing farther to offer to them, they would not receive it from any particular member of either house; but that he should apply himself by writing, or otherwise, to the speaker of either or both houses of parliament; otherwise, they would hold no correspondence with him." The ground of this resolution was, that they might draw from the ambassador (which they presumed could not be without the privity and approbation of the king) an address, and acknowledgment that they were a parliament, against the freedom whereof, and consequently the present being, his majesty had, by his late proclamation, declared. So the ambassador, after a journey or two to Oxford, and some perfunctory addresses to the houses, returned to France *re infecta*, and without the least expression of dislike, on his master's behalf, of their proceedings.

They were scrupulous in believing that France really intended to repair the mischief it had done; and observed, that though there were some plausible compliances, in point of ceremony, with particular persons, after the death of the former cardinal; yet, that the main counsels were carried on upon the rules and directions he had left; and that the cardinal Mazarin, a person of the highest trust with the other, wholly now presided over those counsels; and considered, how much France might imagine it would conduce to their interest, that the king of England should not have all his

subjects in perfect obedience, lest he might offer to be an arbiter of their great differences: I say, these men believed count Harcourt's instructions privately were no other, than the last ambassador's; whom the king had caused to be recalled. And it cannot be denied, that they who were inclined to that jealousy, had arguments enough to increase it.

When this extraordinary ambassador was appointed to come for England, Mr. Mountague was in the court of France, very much trusted by both their majesties, and by his quality, and near relation to so great a trust, his long conversation in that court, and a singular dexterity in his nature, adorned with excellent parts, was thought to have a very good place in the favour and particular estimation of the queen regent, and in the opinion of the cardinal; to whom he had been useful. With this gentleman most of the conclusions had been transacted, which were preparatory to the ambassador's journey; and it was thought fit, that he should at the same time come into England; and, in such a disguise, as might easily conceal a man better known in France than in his own country, in the ambassador's train find a safe passage to Oxford; which was carried with so much secrecy, that, besides to the ambassador himself, he was known to very few of his retinue. The count of Harcourt was not landed four and twenty hours, but in his journey towards London, a messenger from the parliament apprehended Mr. Mountague, and carried him a prisoner to the houses; by whom he was committed to the Tower; and though the ambassador made a great show of resenting it, he never claimed him in such a manner as to procure his enlargement; which made men believe the cardinal liked well his confinement, and desired not he should be either at Oxford or Paris.

At the ambassador's first coming to Oxford, after general overtures, and declarations of the resolution of that crown, "to give his majesty all possible assistance for his reestablishment," he proposed a league offensive and defensive with the king. His majesty, that knew well such an offer was not to be rejected, lest they should from thence take an occasion to refuse those things he should propose, appointed a committee of his council (according to the usual course) to treat with the ambassador, upon all necessary articles, which should attend such a treaty; declaring an inclination to enter into such a league as was proposed; and thereupon desired "a present loan of money, and a supply of a good proportion of arms and ammunition; and likewise that the crown of France would declare against his subjects of England and Scotland, who would persist in rebellion; according to an article ratified in the last treaty of the league now in force."

The ambassador, who, it seems, expected that there should have been more pauses in the overture of the league offensive and defensive, for the present declined the treating with the committee; alleging, "that he was, upon the matter, a minister of both their majesties; and was to receive command from them, and wholly to attend their service; and therefore that he desired wholly to communicate with their majesties themselves;" and shortly after waved any farther mention of the league, with a French compliment, "that it would

"not appear a generous thing, to press the king to any act in this his distress, which he had made scruple of consenting to heretofore, when the fortune of both crowns were equally prosperous: but that his master and mistress would frankly contribute all that could be reasonably expected from them, towards his majesty's restoration and establishment; and afterwards expect such a return of affection from his majesty, as the greatness of the obligation should merit in his princely estimation." And at the same time, the queen regent and cardinal positively denied to the lord Goring, ambassador extraordinary then from his majesty in France, that ever the count of Harcourt had any instruction to mention a league offensive and defensive. These particular carriages, and his not resenting the indignities offered to him by the parliament, made many men believe, that this ambassador, notwithstanding all the specious professions, was sent rather to foment, than to extinguish, the fire that was kindled. Certain it is, during his stay in England, he did not, in the least degree, advance the king's service; and, at his return, left the parliament more united amongst themselves against the king, and the Scots more advanced towards their coming in, than he found them; there being at the same time likewise a French agent in Scotland; who produced no alteration in the affections of that people, to the king's advantage.

The return of the three earls [formerly mentioned] to London in the winter, who so solemnly applied themselves to the king in the spring, contributed exceedingly to the union of the two houses at Westminster. The other two stayed longer; and retired with much more decency, if not with a tacit permission. But the earl of Holland, when he saw his place in the bedchamber conferred upon the marquis of Hertford, in much discontent, found an opportunity, which was not difficult, to remove out of the king's quarters; and before he was missed at Oxford, intelligence was brought that he had rendered himself to the parliament at London; and to make his return the more conscientious, he declared, "that the ground of his deserting them formerly, and going to the king, was a hope to incline his majesty to a treaty of peace; but that he found he was mistaken in the temper of the Oxford councils; and that the king had still about him some counsellors, who would never consent to a safe and well-grounded peace; and that he had they had persuaded the king to make a cessation with the rebels in Ireland; which affected his conscience so much, that, though he had been sure to have lost his life by it, he would return to the parliament;" professing exemplary fidelity to them, if they would again receive him into their favour.

It may be, his discourse of Ireland, or the king's averseness to peace, wrought upon very few; but the evidence of the king's aversion so far to forgive and forget former trespasses, as to receive them into favour and trust again, made a deep impression upon many. For it is undoubtedly true, that many of the principal and governing members of both houses, that is, of them who had governed, and done as much mischief as any, either out of apprehension that the king would prevail, or that they should not prevail soon enough, or the animosity against those who had outgrown their government, and followed new leaders of their

own, and to other ends than had been originally proposed, or out of some motions of conscience, were quite weary of the parliament, and desirous to obtain a fair admission to the king; and looked only upon the footing which those doves, which went first out of the ark, should find; and surely, if that expedient had been dexterously managed, it had been the most probable way to have drawn the parliament into such contempt, that it must have fallen of itself: and it is a way, that in no civil war, which is arrived to any vigour and power of contending, ought to be declined. For a body, that is not formed by policy, with any avowed and fixed principles of government, but by the distempered affections, ambition, and discontent of particular persons, who rather agree against a common adversary, than are united to one just interest, cannot so easily be dissolved, as by tampering with particular persons, and rending those branches from the trunk, whose beauty and advantage consists only in the spreading.

And the reasons were unanswerable, which the old consul Fabius in Livy, lib. 24, gave, in the case of Cassius Altinius, who, after the defeat of Cannæ, deserted the Romans, and fled to Hannibal, by which he got the city of Arpos; and when the condition of the Romans was again recovered and flourishing, came again to the Roman army, and offered to betray that city into their hands. Many were of opinion, "that he should be looked upon as a common enemy; and bound, and sent to Hannibal, as a perfidious person, who knew neither how to be a friend nor an enemy." Fabius reprehended the unseasonable severity of those who considered, and judged in *medio ardore belli, tanquam in pace libera*, and told them, "that their principal care must be, that none of their friends and allies might forsake them; the next, that they who had forsaken them, might return again into their obedience and protection: for, *si abire a Romanis liceat, redire ad eos non liceat*, it could not be, but the state of Rome, from whom, in the late misfortunes, many had revolted, must become very desperate."

Such was the king's condition, the number of the guilty being so much superior to the innocent, that the latter could reasonably expect only to be preserved by the conversion and reduction of the former. Neither did the king not foresee, or abhor this expedient; but the temper and spirit of the time was so averse from the stratagem, that it was evident his present loss would be as great, by practising it, as his future advantage was like to improve by it. And whatever damage his majesty sustained, that unfortunate earl received no acknowledgment, or encouragement from the other party, who had the benefit of his return; but as his estate was sequestered as soon as he left them, so he was now committed to prison, and that sequestration continued; neither was it, in a long time after, taken off, nor himself ever after admitted to his place in their council, notwithstanding all the intercession of very powerful friends, or to any reputation of doing farther good or hurt.

And verily, there must be thought to be some dislike, in the very primary law of nature, of such tergiversation and inconstancy; since we scarce find, in any story, a deserter of a trust or party, he once adhered to, to be long prosperous, or in any eminent estimation with those to whom he resorts;

though, in the change, there may appear evident arguments of reason and justice; neither hath it been in the power or prerogative of any authority, to preserve such men from the reproach, and jealousy, and scandal, that naturally attends upon any defection: *I have not found evil in thee, since the day of thy coming unto me, unto this day; nevertheless, the lords favour thee not*, was the profession of king Achish, when he dismissed David himself from marching with the army of the Philistines; and that expostulation of those lords, *wherewith should he reconcile himself unto his master? should it not be with the heads of these men?* will be always an argumentation to raise a distrust of those who have eminently quitted their party: and the judgment of Fabius himself, which we touched before, of Cassius Altinius, was not much in their favour; for though he reprehended the proposition of sending him to Hannibal, yet he concluded, "that he would have no trust reposed in him, but that he should be kept in safe custody, with liberty to do any thing but go away, till the war was ended; *tum consultandum, utrum defectio prior plus merita sit pena, an hic reditus venia*." And as it fares thus in civil affairs, and the breach of moral obligations, so it happens in spiritual defections, and alterations in religion: for as, among the Jews, the proselytes were civilly and charitably treated, without upbraidings or reproaches; yet it was provided, "that no proselyte should be eligible into the court of their Sanhedrim;" and in their very conversation, they had a caution of them: *Vel ad decimam usque generationem a proselytis cave*, was an aphorism amongst them. So our observation and experience can give us few examples of men who have changed their religion, and not fallen into some jealousy and distrust, or disreputation, even with those with whom they side; that have made their future life less pleasant and delightful; which, it may be, is only because we have rare instances of men of extraordinary parts, or great minds, who have entertained those conversions.

The lords and commons were all now of a mind, and no other contention amongst them, than who should most advance the power which was to suppress the king's: new and stricter orders were made for the general taking the covenant; and an ordinance, "that no man should be in any office or trust in their armies, or the kingdom, or of the common council of London, or should have a voice in the election of those officers, but such who had taken the covenant; nor even they who had taken the covenant, if they had been formerly imprisoned, or sequestered for suspicion of malignancy, or adhering to the king." And that they might as well provide for their sovereign jurisdiction in civil matters, as their security in martial, they again resumed the consideration of the great seal of England. The commons had often pressed the house of peers to concur with them, "in the making a new great seal; as the proper remedy against those mischiefs, which, by the absence of it, had befallen the commonwealth;" declaring, "that the great seal of England, of right, ought to attend upon parliament;" in which the peers as often refused to join with them, being startled at the statute of the 25th of Edward III. by which, the counterfeiting the great seal of England is, in express terms, declared to be high treason; and it had been in all

times before understood to be the sole property of the king, and not of the kingdom, and absolutely in the king's own disposal, where it should be kept, or where it should attend.

This dissent of the lords hindered not the business; the commons frankly voted, "that a seal should be provided," and accordingly took order that one was engraven, and brought into their house, according to the same size and effigies, and nothing differing from that which the king used at Oxford. Being in this readiness, and observing the lords to be less scrupulous than they had been, about the middle of November they sent again to them, to let them know, "they had a great seal ready, which should be put into the custody of such persons as the two houses should appoint; and if they would name some peers, a proportionable number of the other body should join in the executing that trust." All objections were now answered, and without any hesitation their lordships not only concurred with them to have a seal in their own disposal, but in a declaration and ordinance; by which they declared, "all letters patents, and grants made by the king, and passed the great seal of England, after the 22d of May in the year 1642, (which was the day the lord keeper left the house, and went with the great seal to York to the king,) to be invalid, and void in law; and henceforward, that their own great seal should be of the like force, power, and validity, to all intents and purposes, as any great seal of England had been, or ought to be; and that whosoever, after publication of that ordinance, should pass any thing under any other great seal, or should claim any thing thereby, should be held and adjudged a public enemy to the state."

At the same time, the earls of Rutland and Bulfinchbrook, of the peers, Mr. Saint-John, (whom they still entitled the king's solicitor general, though his majesty had revoked his patent, and conferred that office upon sir Thomas Gardner; who had served him faithfully, and been put out of his recorder's place of London, for having so done,) sergeant Wild, (who, being a sergeant at law, had with most confidence averred their legal power to make a seal,) Mr. Brown, and Mr. Prideaux, two private practisers of the law, were nominated "to have the keeping, ordering, and disposing of it, and all such, and the like power and authority, as any lord chancellor, or lord keeper, or commissioner of the great seal, for the time being, had had, used, or ought to have." The earl of Rutland was so modest, as to think himself not sufficiently qualified for such a trust; and therefore excused himself in point of conscience: whereupon they nominated, in his room, the earl of Kent, a man of far meaner parts, who readily accepted the place.

The seal then was delivered, in the house of commons, to their speaker; and by him, with much solemnity, the house attending him, to the speaker of the peers, at the bar in that house. The six commissioners were then, in the presence of both houses, solemnly sworn, "to execute the office of keepers of the great seal of England, in all things according to the orders and directions of both houses of parliament." And thereupon the seal was delivered by the two speakers to them, who carried it, according to order, to the house of the clerk of the parliament, in the old palace; where it was kept locked up in a chest; which could not be

opened but in the presence of three of them, and with three several keys. This work being over, they appointed, for the first exercise of this kind of sovereignty, a patent to be sealed to the earl of Warwick, of lord high admiral of England; which was done accordingly; by which many concluded, that the earl of Northumberland, who had been put out of that great office for their sakes, was not restored to their full confidence; others, that he desired not to wear their livery.

About the same time, to shew that they would be absolute, and not joint sharers in the sovereign power, they gave an instance of boldness mingled with cruelty, that made them appear very terrible. The king had published several proclamations, for the adjournment of the term from London to Oxford, which had been hitherto fruitless, for want of the necessary legal form of having the writs read in court; so that the judges who were ready to perform their duty, could not regularly keep the courts at Oxford; which else they would have done, notwithstanding the order and declarations published by the two houses to the contrary; they who were learned in the law believing that assumption to be unquestionably out of their jurisdiction. These writs of adjournment had never yet been delivered seasonably, to be read in court, or into the hands of either of the sworn judges, who yet attended at Westminster; of which there were three in number, justice Bacon in the king's bench, justice Reeve in the common pleas, and baron Trevor in the exchequer; who, how timorous soever, and apprehensive of the power and severity of the parliament, knowing the law and their duties, men believed, would not have barefaced declined the execution of those commands they were sworn to observe. Several messengers were therefore sent from Oxford with those writs; and appointed, on or before such a day, (for that circumstance was penal,) "to find an opportunity to deliver the writs into the hands of the several judges." Two of them performed their charges, and delivered the writs to justice Reeve, and baron Trevor; who immediately caused the messengers to be apprehended.

And the houses, being informed of it, gave direction, "that they should be tried by a council of war, as spies;" which was done at Essex-house. The messengers alleged, "that they were sworn servants to his majesty for the transaction of those services, for which they were now accused; and that they had been legally punishable, if they had refused to do their duties, the term being to be adjourned by no other way." Notwithstanding all which, they were both condemned to be hanged as spies; and that such a sentence might not be thought to be only *in terrorem*, the two poor men were, within few days after, carried to the old Exchange, where a gallows was purposely set up; and there one of them, one Daniel Kniveton, was without mercy executed; dying with another kind of courage than could be expected from a man of such condition and education, did not the conscience of being innocent beget a marvellous satisfaction in any condition. The other, after he had stood some time upon, or under the gallows, looking for the same conclusion, was relieved, and sent to Bridewell; where he was kept long after, till he made an escape, and returned again to Oxford. This example begot great terror in all the well affected about London, and so much the more, because, about the same time, an ordinance was

made, "that whosoever went to Oxford, or into any of the king's quarters, without leave from one of the houses, or a pass from their general, or whosoever had any correspondence with any person in the king's quarters, by writing letters, or receiving letters from thence, should be proceeded against as a person disaffected to the state; and his person committed, and his estate sequestered; and should be liable, according to the circumstances, (of which themselves would be only judges,) to be tried as spies."

As this made them exceeding terrible to those who loved them not, so, about the same time, they gave another instance of severity, which rendered their government no less revered amongst their friends and associates. The brave defence of Gloucester, and the great success that attended it, made the loss of Bristol the more felt; and consequently the delivery, and yielding it up, the more liberally spoken of, and censured. The which colonel Fiennes having not patience to bear, he desired, being a member of the house of commons, and of a swaying interest there, "that he might be put to give an account of it at a court of war, which was the proper judicature upon trespasses of that nature." And in the mean time, he was powerful enough, upon some collateral and circumstantial passages, to procure some of the chief who inveighed against him, to be imprisoned and reprehended. This begat greater passion and animosity in the persons, that thought they suffered unjustly, and only by the authority and interest of the colonel and his father; which, by degrees, brought faction into the house of commons, and the army, according to the several affections and tempers of men.

There were but two prosecutors appeared, one Mr. Walker, a gentleman of Somersetshire, of a good fortune, and, by the loss of that, the more provoked; who had been in the town when it was lost, and had strictly observed all that was done, or said; and the famous Mr. Pryn, who had at first let himself into the disquisition, out of the activity and restlessness of his nature, and was afterwards sharpened by contempt. These two, under pretence of zeal to the kingdom, and that such an irreparable damage to it might not pass away without due punishment, undertook the prosecution; and boldly charged the colonel with cowardice and treachery; and gave several instances of great and high professions, and performances faint, and not answerable; with some mixtures of pride, and love of money, throughout the course of his government. Colonel Fiennes, besides the credit and reputation of his father, had a very good stock of estimation in the house of commons upon his own score; for truly he had very good parts of learning and nature, and was privy to, and a great manager in, the most secret designs from the beginning; and if he had not incurred himself with command in the army, to which men thought his nature not so well disposed, he had sure been second to none in those councils, after Mr. Hambden's death. This made him too much despise those who appeared his adversaries, and others whom he knew to be such, though they appeared not, (for he looked upon sir William Waller as an enemy, who, [by his] misfortune at Roundway-down, having brought that storm upon Bristol, was industrious to make the second loss to be apprehended only as the effect of the other's want of courage and conduct,) and being sure, that he was very free from wishing well to

the king, he thought no defect would be farther imputed to him, than might well be answered by the having done his best; and that the eminency of his perfect zeal against his majesty would weigh down all objections of disservice to the parliament.

But notwithstanding all this, after a long and solemn hearing before the court of war, at St. Alban's, where the earl of Essex then lay, which took up many days, he was condemned to lose his head, "for not having defended Bristol so well, and so long, as he ought to have done." And though he had afterwards a pardon for his life, granted to him by the prerogative of the general, under his hand and seal, yet the infamy of the judgment could not be taken off; by which he became unfit to continue an officer of the army; and the shame of it persuaded him to quit the kingdom; so that he went for some time into foreign parts, retaining still the same full disaffection to the government of the church and state, and only grieved that he had a less capacity left to do hurt to either. Many looked upon this example as a foundation of great awe and reverence in the army, that the officers might see, that no titles or relations should be able to break through the strict discipline of war. For this gentleman was a person of singular merit, and fidelity to the party that he served, and of extraordinary use to them in those counsels that required the best understandings. Others thought it an act of unadvised severity, to expose so eminent a person, who knew all their intrigues, upon the importunity of useless and inconsiderable persons, to infamy; whilst others considered it as a judgment of Heaven upon a man who had been so forward in promoting the public calamities; and no doubt, it increased much the factions and animosities, both in the parliament and the army; and might have done them farther mischief, if it had not fallen on a man so thoroughly engaged, that no provocations could make him less of their party, or less concerned in their confederacy.

Nothing troubled the king so much, as the intelligence he received from Scotland, that they had already formed their army, and resolved to enter England in the winter season. All his confidence, which he had founded there upon the faith and most solemn professions of particular men, without whom the nation could not have been corrupted, had deceived him to a man; and he found the same men most engaged against him, who had, with most solemnity, vowed all obedience to him. And the circumstance of the time made the danger of the invasion the more formidable; for the earl of Newcastle, who was lately created a marquis, had been compelled with his army, as much by the murmurs and indisposition of the officers, as by the season of the year, to quit his design upon Hull, and to retire to York; and the garrison at Hull had made many strong inroads into the country, and defeated some of his troops; so that the Scots were like to find a strong party in that large county. However, the marquis sent a good body of horse towards the borders, to wait their motion; and no sooner heard of their march, which began in January, in a great frost and snow, than himself marched into the bishopric of Durham to attend them. The particulars of all that affair, and the whole transaction of the northern parts, where the writer of this history was never present, nor had



any part in those counsels, are fit for a relation apart; which a more proper person will employ himself in.

In these straits, the king considered two expedients which were proposed to him, and which his majesty directed should be both consulted in the council. The one was, "that all the peers who were then in Oxford, or in the king's service, might subscribe a letter to the council of state in Scotland; whereby it would appear, by the subscription, that above five parts of six of the whole nobility, and house of peers, were in the king's service, and disavowed all those actions which were done against him, by the pretended authority of the two houses; which possibly might make some impression upon the nation of Scotland, though it was well enough known to their seducers." A letter was prepared accordingly, expressing "the foulness of the rebellion in England, under the reputation of the houses of parliament, and the carrying on the same, when they had driven away, by force, much the major part of the members of both houses, and expressly against all the laws of the land:" it put them in mind of "their obligation to the king," and pathetically concluded "with conjuring them to desist from their unjust and unwarrantable purpose; since they could have no excuse for prosecuting the same, from the authority of parliament." The letter was perused, and debated in the council, and afterwards in the presence of all the peers; and being generally approved without any dissenting voice, it was ordered to be engrossed, and signed by all those peers, and privy-counsellors, who were then in Oxford, and to be sent to those who were absent in any of the armies, or in the king's quarters, and to be then sent to the marquis of Newcastle; who, after he had signed it, with those peers who were in those parts, was to transmit it into Scotland by a trumpet; all which was done accordingly.

Of all the peers who followed the king, there was only one who refused to sign this letter, the earl of Leicester; who, after many pauses and delays, whether he had not yet digested his late deposal from the lieutenancy of Ireland, to which the marquis of Ormond was deputed, and thought the disobligation of it not capable of a reparation, or whether he thought the king's fortune desperate, and resolved not to sacrifice himself to any popular displeasure, and not to provoke the parliament farther than by not concurring with them; or whether he had it then in his purpose to be found in their quarters, as shortly after he was, did in the end positively refuse to subscribe the letter; and thereby was the occasion of a mischief he did not intend. For both their majesties, in their secret purpose, had designed him to succeed the marquis of Hertford in the government of the prince; for which he would have been very proper; but upon this so affected a discovery of a nature, and mind, liable to no kind of compliance, the king could not prosecute his purpose; and so the government of that hopeful and excellent prince was committed to the earl of Berkshire, for no other reason but because he had a mind to it, and his importunity was very troublesome: a man of any who bore the name of a gentleman, the most unfit for that province, or any other that required any proportion of wisdom and understanding for the discharge of it.

But it was the unhappy temper of the court at

that time, to think that it was no matter who was employed in that office; for the king nor queen were not at all deceived, nor was the earl less fit than they thought him to be; but they thought his want of parts (his fidelity there was no cause to suspect) to be of little importance: and a counsellor, much trusted, speaking at that time with the lord Jermyn, "how astonishing a thing it was to all the nation, to see the prince committed to such a governor," he smiled, according to his custom, when he could not answer; and said, "it was of no moment, who had the name and style of governor, since the king and queen meant to be his governor, and firmly resolved that he should never be out of their presence, or of one of them:" when, within little more than a year after, the king found it necessary to sever the prince from him, and lived not to see him again; and he then found, and lamented, that he had deputed such a governor over him.

The other expedient proposed by the chancellor was, "that since the whole kingdom was misled by the reverence they had to parliaments, and believed that the laws and liberties of the people could not be otherwise preserved, than by their authority, and that it appeared to be to no purpose to persuade men that what they did was against law, when they were persuaded that their very doing it made it lawful, it would be therefore necessary, and could be only effectual to convince them, that they who did those monstrous things were not the parliament, but a handful of desperate persons, who, by the help of the tumults raised in the city of London, had driven away the major part of the parliament, and called themselves the parliament, who were, in truth, much the less, and the least considerable part of it; which would appear manifestly, if the king would issue out a proclamation, to require all the members who had left the parliament at Westminster, to repair to Oxford by such a day; where his majesty would be willing to advise with them in matters of the greatest importance, concerning the peace, and distractions of the kingdom: and by this means he might, in many things, serve himself by their assistance, and it would evidently appear by the number of both houses, whose names would be quickly known and published, how few remained at Westminster, who carried on the devouring war, so grievous to the whole kingdom."

The king was at first in some apprehension, that such a confux of persons together of the parliament, who would look to enjoy the privileges of it in their debates, might, instead of doing him service, do many things contrary to it, and exceedingly apprehended, that they would immediately enter upon some treaty of peace, which would have no effect; yet, whilst it was in suspense, would hinder his preparation for the war; and though nobody more desired peace, yet he had no mind that a multitude should be consulted upon the conditions of it: imagining, that things of the greatest importance, as the giving up persons, and other particulars of honour, would not seem to them of moment enough to continue a war in the kingdom; which would have been true, if, as hath been said before, the governors of the parliament had not themselves been too fearful of a peace, to trust any to make politic propositions, which, upon refusal, might have done good, but being con-



sented to had undone them, and frustrated all their designs.

The council seemed much inclined to the expedient, and many conveniences were in view; and it might be reasonably hoped, and presumed, "that persons, who had that duty to obey his majesty's summons, in coming thither, which would be none but such as had already absented themselves from Westminster, and thereby incensed those who remained there, would [not] bring ill and troublesome humours with them, to disturb that service which could only preserve them: but, on the contrary, would unite, and conspire together, to make the king superior to his and their enemies. And as to the advancing any propositions of peace, which there could be no doubt but they would be inclined to, nor would it be fit for his majesty to oppose, there could be no inconvenience; since their appearing in it would but draw reproach from those at Westminster, who would never give them any answer, or look upon them under any notion, but as private persons, and deserters of the parliament, without any qualification to treat, or to be treated with: which would more provoke those at Oxford, and, by degrees, stir up more animosities between them." And the king discovered more of hope than fear from such a convention; and so, with a very unanimous consent and approbation, a proclamation was issued out, containing the true grounds and motives, and mentioning the league of Scotland to invade the kingdom; which was the most universally odious and detestable; and summoned all the members of both houses of parliament, except only such who, having command in his majesty's armies in the north, and in the west, could not be dispensed with, to be absent from their charges, to attend upon his majesty in Oxford, upon a day fixed in January next.

The king was not all this while without a due sense of the dangers that threatened him in the growth and improvement of the power and strength of the enemy, and how impossible it would be for him, without some more extraordinary assistance, to resist that torrent, which, he foresaw, by the next spring, would be ready to overwhelm him, if he made not provision accordingly. When he saw therefore, that it was not in his power to compose the distractions of England, or to prevent those in Scotland, and abhorring the thought of introducing a foreign nation to subdue his own subjects, he began to think of any expedients which might allay the distempers in Ireland; that so, having one of his kingdoms in peace, he might apply the power of that, towards the procuring it in his other dominions. He was not ignorant, how tender an argument that business of Ireland was, and how prepared men were to pervert whatsoever he said or did in it; and therefore he resolved to proceed with that caution, that whatsoever was done in it should be by the counsel of that state, who were understood to be most skilful in those affairs.

The lords justices, and council, had sent a short petition to his majesty, which was presented to them, in the name of his catholic subjects, then in arms against him; by which they only desired, with full expressions of duty and submission to his majesty, "that he would appoint some persons to hear what they could say for themselves; and to present the same to his majesty." Hereupon the king authorized by his commission the lord

marquis of Ormond, and some others, to receive what they were ready to offer, but without the least authority to conclude any thing with them upon it. And after the receipt of this commission, the marquis, finding that this petition was prosecuted with less ingenuity than it seemed to have been presented, was so far from being indulgent to them under that notion, that he even then advanced against them with his army, and gave them a very signal defeat; which reformed their application, and made it more submissive.

In the mean time (though in all actions and counsels, the lords justices, and council there, had yielded punctual obedience to all directions from the parliament) the affairs of that kingdom suffered exceedingly for want of provisions, money, and ammunition, out of England; which the two houses of parliament were obliged, and were, to that purpose, enabled by his majesty to send. Inasmuch as that board, by their letters of the fourth of April, this present year, advertised the speaker of the house of commons, "that they had been compelled, for the preservation of the army, to take money from all who had it, and to wrest their commodities from the poor merchants, whom they had now, by the law of necessity, utterly undone, and disabled from being hereafter helpful to them, in bringing them in victuals, or other needful commodities: and that there were few of themselves, or others, that had not felt their parts in the enforced rigour of their proceedings, so as, what with such hard dealing, no less grievous to them to do, than it was heavy to others to suffer, and by their descending, against their hearts, far below the honour and dignity of that power they represented under his royal majesty, they had, with unspeakable difficulties, prevailed so as to be able to find bread for the soldiers for the space of one month: that they were then expelling thence all strangers, and must instantly send away for England thousands of poor despoiled English, whose very eating was now insupportable to that place; and therefore, they said, they did again earnestly and finally desire (for their confusions would not now admit the writing of many more letters, if any) some supplies of victual and munition might, in present, be hastened thither to keep life, until the rest might follow; there being no victuals in store; nor one hundred barrels of powder; which, according to the usual necessary expenses, besides extraordinary accidents, would not last above a month."

A copy of this letter they likewise sent to Mr. Secretary Nicholas, that his majesty might be informed of the sadness of their condition, and, with it, a copy of a paper that morning presented to the board (which was likewise sent in their letter to the speaker) from the officers of the army; who, after sharp expressions of the miseries they sustained, and expostulations thereupon, concluded, "that if their lordships would take them into their timely considerations, before their urgent wants made them desperate, they would serve them readily and faithfully; but if their lordships would not find a way for their preservations there, they humbly desired they might have leave to go where they might have a better being; and if they refused to grant that, they themselves must then take leave to have recourse

"to that first and primary law, which God had  
"endued all men with, the law of nature, which  
"taught all men to preserve themselves."

The king was exceedingly perplexed at the receipt of this advertisement; apprehending the state of his protestant subjects in that kingdom to be almost desperate, the rebels receiving daily encouragement and assistance from foreign parts; and thereupon growing strong and bold; yet he forbore to interpose his own sovereign power, hoping this last clear representation would have made so deep an impression in the two houses of parliament, that they would have sent such a full supply, that at least the rebels might make no farther progress in victory, against his protestant subjects. About the end of May, the lords justices and council, having received no probable hope of assistance from the parliament, sent an address immediately to his majesty, that himself might conclude, in that exigent, what was to be done for preservation of one of his three kingdoms. This letter, subscribed by the lords justices, and every member of the council-board, being the ground and foundation of the resolutions which his majesty afterwards took, I think necessary in this place to insert in the terms of which it consisted; which were these:

"May it please your most excellent majesty:

"As soon as we your majesty's justices entered into the charge of this government, we took into our considerations, at the board, the state of your army here; which we find suffering under unspeakable extremity of want of all things necessary to the support of their persons, or maintenance of the war, here being no victuals, clothes, or other provisions requisite towards their sustenance; no money to provide them of any thing they want; no arms in your majesty's stores to supply their many defective arms; not above forty barrels of powder in your stores; no strength of serviceable horses being now left here; and those few that are, their arms for the most part lost, or unserviceable; no ships arrived here to guard the coast, and consequently no security rendered to any that might, on their private adventures, bring in provisions of victuals, or other necessities towards our subsistence; and, finally, no visible means, by sea or land, of being able to preserve for you this kingdom, and to render deliverance from utter destruction to the remnant of your good subjects left here.

"We find, that your majesty's late justices, and this board, have often, and fully, by very many letters, advertised the parliament in England of the extremities of affairs here, and besought relief with all possible importunity; which also have been fully represented to your majesty, and to the lord lieutenant, and Mr. Secretary Nicholas, to be made known to your majesty: and although the winds have of late for many days, and often formerly, stood very fair for accessions of supply forth of England hither, and that we have still, with longing expectations, hoped to find provisions arrive here, in some degree answerable to the necessities of your affairs; yet now, to our unspeakable grief, after full six months waiting, and much longer patience, and long suffering, we find all our great

"expectations answered in a mean and inconsiderable quantity of provisions, viz. threescore and fifteen barrels of butter, and fourteen ton of cheese; being but the fourth part of a small vessel's lading, which was sent from London, and arrived here the fifth day of this month, which is not above seven or eight days' provision, for that part of the army which lies in Dublin, and the out-garrisons thereof; no money or victual (other than that inconsiderable proportion of victual) having arrived in this place, as sent from the parliament of England, or from any other fort of England, for the use of the army, since the beginning of November last.

"We have, by the blessing of God, been hitherto prosperous and successful in your majesty's affairs here, and should be still hopeful, by the mercy of God, under the royal directions of your sacred majesty, to vindicate your majesty's honour, to recover your rights here, and take due vengeance on those traitors, for the innocent blood they have spilled, if we might be strengthened, and supported therein, by needful supplies forth of England; but these supplies having been hitherto expected to come from the parliament of England, (on which if your majesty had not relied, we are assured you would, in your high wisdom, have found out some other means to preserve this your kingdom,) and so great and apparent a failure having happened therein, and all the former, and late, long continuing easterly winds, bringing us no other provisions than those few cheeses and butter, and no advertisements being brought us of any future supply to be so much as in the way hither, whereby there might be any likelihood that considerable means of support for your majesty's army might arrive here, in any reasonable time, before we be totally swallowed up by the rebels, and your kingdom by them wrested from you: we find ourselves so disappointed of our hopes from the parliament, as must needs trench to the utter loss of the kingdom, if your majesty, in your high wisdom, ordain not some present means of preservation for us. And considering that if now, by occasion of that unhappy and unexpected failing of support from thence, we shall be less successful in your services here against the rebels, than hitherto, whilst we were enabled with some means to serve you, we have been, the shame and dishonour may, in common construction of those that know not the inwards of the cause, be imputed to us, and not to the failings that disabled us: and considering principally, and above all things, the high and eminent trust of your affairs here, deposited with us by your sacred majesty, we may not forbear, in discharge of our duty, thus freely and plainly to declare our humble apprehensions, to the end your majesty, thus truly understanding the terribleness of our condition, may find out some such means of support, to preserve to your majesty and your royal posterity this your ancient and rightful crown and kingdom; and derive deliverance and safety to the remnant of your good subjects yet left here, as in your excellent judgment you shall find to be most for your honour and advantage. And so praying the King of kings to guide and direct you for the best, in this high and important cause, and in

“all other your counsels and actions, we humbly remain :

*From your majesty's castle of Dublin,  
the 11th of May, 1643.*

There was no sober man in Ireland or England, who believed it to be in the king's power to enable this people to carry on the war; for all men too well knew, that he had neither money, victual, ammunition, or shipping, to supply them: and therefore his majesty could not but conclude, that, by this application of that state to him, they hoped he would endeavour to extinguish that war which he could not maintain. And it is very true, that, at the same time with this letter, he received advice and information, from some of his prime ministers of that kingdom, who were well known, and acknowledged, perfectly to abhor the rebellion, “that there was no reasonable hope of preserving his protestant subjects, and his own interest in that kingdom, but by treating with the rebels, and making a peace, or truce, with them.” The king well foresaw to what reproaches he should object himself, by entering into any treaty with those rebels; and that they who had persuaded many to believe, that he had given countenance to, if not fomented, the rebellion, against all human evidence that can be imagined, would more easily gain credit, when they should be able to say, that he had made a peace with them: besides that he had bound himself not to make a peace with the rebels in Ireland, without the consent of his two houses of parliament in England. On the other side, nothing was more demonstrable, than that his protestant subjects there could not defend the little they had left, without extraordinary aid and assistance out of England; that it was impossible for him to send any to them, and as visible, that the parliament would not, or could not; so that it seemed only in his election, whether he would preserve the remainder of his protestant subjects there, and that whole kingdom, in dependence upon his crown, with the inconvenience of some perverse and unreasonable scandal; or suffer them to be rooted out; and undergo the perpetual obloquy of having lost a kingdom, when it was in his own power to have retained it within his subjection: and whatever he had obliged himself to, in those acts of parliament which he had passed for relief of Ireland, before any rebellion in England, was not, that there might never be a peace in Ireland, but that the two houses might cooperate with him, whereby the rebels might be reduced to those straits, that they might be compelled to submit to the performance of their duties: and that, instead of any such cooperation, the two houses refused to concur with him in any thing, and had employed those monies, which had been raised by those very acts, for the relief of Ireland, in the maintenance of the armies which had given his majesty battle in England, expressly contrary to the words of those acts; and therefore that his majesty might be reasonably disengaged from those covenants on his part.

Upon these considerations, after two months' delay, to see whether yet the parliament would take care of them, and having received fresh importunities, and advices from thence, about the end of July, the king writ to the lords justices in Ireland, “that they should issue out a commission, “under the great seal of Ireland, to the marquis of Ormond to treat and conclude a cessation of

“arms with the rebels, upon such articles and conditions as he should judge most reasonable; “and during that cessation, that such agents as they should make choice of, should have access “to his royal person, to present their own propositions for peace:” so careful was the king not to infringe that act of parliament, which many understood to be dissolved by themselves: there being no colourable clause in it, by which it was not in his majesty's own power to make a cessation; and the peace itself he resented in such a manner, that he might receive advice and concurrence from the parliament, if they would not decline any farther consideration or care of that kingdom.

Hereupon the lord marquis of Ormond, being then only general of the horse there, entered upon a treaty with commissioners authorized by the council at Kilkenny; to whose jurisdiction the rebels had committed the whole government of their affairs; and articles of cessation being prepared for a year, and perused, and approved by the lords justices and council, without whose advice the marquis would not proceed, and all the principal officers of the army having given it under their hands, being present likewise at the treaty, “that it was most necessary for the preservation of that kingdom, that a cessation should be made for a year, upon those articles and conditions; and the rebels undertaking to pay to his majesty's use, thirty thousand and eight hundred pounds sterling, within a short time; “whereof fifteen thousand eight hundred pounds “in ready money, and the other fifteen thousand pounds, one half in money, and the other half “in good beefs, at thirty pounds the score;” a cessation of arms was concluded by the marquis; and published, with the articles and conditions, by the lords justices and council of Ireland, to begin on the fifteenth day of September, and to continue for the space of a whole year.

This cessation was no sooner known in England, but the two houses declared against it, with all the sharp glosses upon it to his majesty's dishonour that can be imagined; persuading the people, “that the rebels were now brought to their last gasp, and reduced to so terrible a famine, that, “like cannibals, they eat one another, and must “have been destroyed immediately, and utterly “rooted out, if, by the popish counsels at court, “the king had not been persuaded to consent to “this cessation.” It is one of the instances of the strange, fatal misunderstanding, which possessed this time, that, notwithstanding all the caution the king used in meddling at all with the business of that kingdom from the time of the rebellion, and the clear discovery of all particular reasons, grounds, and counsels, when he found it necessary to interpose in it, the calumnies and slanders raised to his majesty's disservice and dishonour, made a more than ordinary impression upon the minds of men, and not only of vulgar-spirited people, but of those who resisted all other infusions and infection. And posterity, no question, will inquire, from what rise or spring this disadvantage flowed; to which inquiry I can apply no other satisfaction, besides the disease of the time; which imputed all designs to designs upon religion, and whatsoever was done by papists, to the zeal of the queen on the behalf of her own religion; then that the chief managers, and conductors of their counsels, found it necessary to aver many things of fact upon their

own knowledge, (by which they found the understanding of men liable to be captivated,) which in truth were not so : as I found by some sober men, at such times as there was occasion of intercourse, and conference with them, that they did, upon such assurance, believe that the king had done somewhat in that business of Ireland, (some having avowed, that they had seen his hand to such and such letters and instructions,) which, upon as much knowledge as any man can morally have of a negative, I am sure he never did.

I shall here insert, as the most natural and proper evidence of the state of Ireland, at the time of the cessation, and of the unanswerable motives which prevailed with the king to consent to it, two letters ; the one, of expostulation from the two houses to the lords justices and council, which was received by them after the cessation agreed on, though seeming to be sent before ; and the answer of that board thereunto ; with the contents whereof, the king, nor any of his council attending on him, was not at all acquainted, till long after their delivery. The letters were in these words.

*To our very good lords, the lords justices, and council, for the kingdom of Ireland.*

“ Our very good lords,

“ The lords and commons in parliament have commanded us to let you know, they have seen your letter of the tenth of June, directed to the speaker of the house of commons, accompanied with an act of state, in the preamble whereof is an expression to this effect ; that your present difficulties are occasioned through the failure of the houses of parliament in England, who undertook the charge of this war. This letter, and act of council, were sent by his majesty from Oxford : to whom they believe you have sent copies of both, and have just cause to suspect, that there is an impious design now on foot, to sell for nought the crying blood of many hundred thousands of British protestants, by a dishonourable, unsufferable peace with the rebels ; and then to lay the blame and shame of this upon the parliament ; a plot suitable to those counsels that have both projected and fomented this unparalleled rebellion : for those who contrived the powder treason, intended to lay it on the puritans. And although they cannot think your lordships intended to further this design by this expression, yet they have cause to believe, you have forgotten the present condition of this kingdom ; the supplies they have sent thither of all sorts, even in the midst of their own wants : what relief going thither hath been taken away by sea and land, and by whom ; and what discouragements have been given them in return : so that, as your lordships do truly observe the protestant party in that city desirous to contribute, in all things, towards preservation of that kingdom, and that all the opposition therein is from those of the popish party ; so ought you justly to conclude, that the protestant party in this kingdom have contributed, and are still endeavouring to contribute, monies, ammunition, victuals, and other necessaries, for the saving of that kingdom : and that the popish and malignant party here, now in arms against the parliament and kingdom, have not assisted, in the least measure, this pious work ; but, on the contrary, do hinder and oppose the same : neither should

“ your lordships conceive, that only the charge of that war was referred to, and undertaken by, the parliament, as if their part was to be your bankers, only to provide money for you to spend, and were not to advise and direct the managing of the war ; although an act of parliament hath invested them with that power ; which they must assume and vindicate as the means to save that kingdom ; and shall bring to condign punishment those there, who, in this conjuncture of affairs, have advised the commission to hear what the rebels can say, or propound, for their own advantage ; the letters to divest their committee of an authority given them by both houses ; and that advised the late alteration of government there ; as enemies to the weal of both kingdoms, and fautors of that rebellion. In the last place, we are forbidden to tell you, what supplies of money, victuals, ammunition, and other necessaries, are in good forwardness to be sent over, for the support of the officers and soldiers there, and by whose incessant care ; lest they should seem to answer that scandal by excuse, which deserves an high resentment. This being all we have in command for the present, we bid your lordships farewell, and remain,

“ Your lordships’ friends to serve you,

“ *Grey of Warke,*

“ *Speaker of the house of peers pro tempore ;*

“ *William Lenthall,*

“ *Speaker of the commons house in parliament.*

“ The lords and commons will examine the demeanour of the ships appointed to guard those coasts ; and might have expected a copy of Mountrose’s letter to Colonel Crawford, which came to your hands before the 10th of June ; and, happily, would discover the treasons of the rebels, sent by your enemies to destroy you ; as well as a complaint of those sea-captains, sent by your friends to defend you ; whose neglects and misdeeds are notwithstanding to be punished, according as their demerits shall appear.”

*Westminster, the 4th of July, 1643.*

*To our very good lord, the lord speaker of the right honourable the lords house of parliament, in the kingdom of England ; and to our very loving friend, William Lenthall, esq. speaker of the honourable commons house in parliament, in the said kingdom.*

“ Our very good lord, and Mr. Speaker of the commons house in parliament,

“ Your joint letters of the fourth of July last directed to us, were so long in coming, as they came not to our hands until the sixth of October. By those your letters, you signify, that the lords and commons in parliament have commanded you to let us know, that they have seen our letters of the tenth of June, directed to the speaker of the house of commons, accompanied with an act of state, in the preamble whereof there is an expression to this effect ; that our present difficulties were occasioned through the failure of the houses of parliament in England, who undertook the charge of this war : to which expression, it seems, exception is taken, and interpretations made thereof, far otherwise we are sure than was intended by us ; and, as we conceive, otherwise than the true sense of those words can bear. It

"is true, that when we were necessitated to set on foot the new imposition, raised here in nature of an excise, towards keeping this army from perishing by famine, it became necessary to express, in the act of council whereby we ordered it, the reasons inducing us to set on foot here a thing so unknown to his majesty's laws, and gracious government, and the difficulties wherewith we contended, which did necessitate that resolution; and in expressing those difficulties, we used that expression, to shew whence our difficulties were occasioned; and that we have therein declared the truth, we crave leave to mind you of some particulars.

"If we should look so far back as to repeat the substance of many despatches sent from this board, since the beginning of this rebellion; some to our very good lord, the lord lieutenant of this kingdom; some to the lords, and others, members of both houses, his majesty's commissioners for the affairs of this kingdom; and some to the speaker of the commons house of parliament there; it would prove a voluminous work; and therefore we forbear to look farther back into those despatches, than to the time when the committee sent thence hither, were here; who, at their arrival here, in the end of October 1642, brought with them some money and provisions, but far short of that which the necessities of this army required; and indeed so inconsiderable, in respect of those necessities, as even before that committee departed, they saw the money they had brought, wholly issued; and the high and unavoidable necessity of a farther, speedy, and plentiful supply of money, and other provisions. By letters from this board of the twentieth of January 1642, and directed to the speaker of the commons house of parliament there, it was signified thither, that the provisions of victuals here were then at the very bottom; that that committee then here, had certified thither those wants; that if a personal supply of victual arrived not here very speedily, the army could not subsist, but must have been constrained to disband, to the loss of this kingdom, and utter destruction of the few subjects here: that the want of treasure here, to pay the army, enforced this board to issue victual to the common soldier, and others, towards their pay, which did the sooner exhaust the magazine of victual; that the captains, and other officers, not having relief that way, were reduced to great extremities, as had been formerly often represented thither; and therefore this board, by the said letters, then moved, that treasure might be sent us speedily, so to redeem the officers from the calamities they suffered, and this board from their unsupportable clamours; and to enable the payment, in some part, in money to the common soldier; so to make the victual we then expected, to hold out the longer.

"It was also by those letters then advertised thither, that the extremities of the officers of the army had begotten so much discontent amongst them, as divers colonels, and others of them, presented at this board a remonstrance, whereof a copy was then sent enclosed in the said letters; which remonstrance did exceedingly trouble and perplex us, lest it might beget such distractions amongst us, as might give too much advantage to the rebels. But, after full debate thereof at

"this board, it was here directed, that in present, to render some subsistence to the officers, until treasure arrived forth of England, every man in this city should bring in half of his plate, to be paid for it when treasure arrived; whereupon some plate was brought in, and applied towards the army. This board did also signify by those letters, that without some speedy relief forth of England, the burden here was become too heavy to be borne; and therefore, in discharge of our duty to God, to our gracious sovereign, to that kingdom, and to this, we held ourselves bound clearly to make known, that unless we were speedily supplied from thence with money, arms, and victual, it would be impossible for us any farther to prosecute this war, or to preserve from sudden confusion this state and government: so highly did the discontent of the officers, and the disorder of the soldiers, threaten us, that it might be easily apprehended, what, in all human probability, must become of us, when it was then evident, that here was no money, nor any possibility of procuring any in this city; when our victuals were spent; when a great part of the army had no arms; which we doubted, and feared, for the reasons in those letters expressed, that the soldiers would make prey of us and this city at last; and when we saw that the destruction, then threatened against us, must then go farther, even to the loss of this crown, and kingdom; and to the highly endangering of that kingdom also; which, for the honour of his majesty, and the English nation, we by our said letters desired might, by the wisdom of that honourable house, be speedily prevented, by hastening away, with all possible speed, supply of money, arms, and victuals.

"By other letters of this board, directed to Mr. Speaker, and dated the said 20th of January 1642, it was advertised thither, that it was become of absolute necessity, that there should be sent us from thence, speedily, six hundred able light geldings for recruits, to be defalked out of the entertainments of those who should receive them. By other letters from this board, of the same date, directed to Mr. Speaker, it was signified thither, that we had contracted an agreement here with Theodore Schout, and Jacob Ablin, merchants, that Anthony Tyrenes, in London, or Daniel Wibrant, in Amsterdam, should receive seven thousand eight hundred fourscore and thirteen pounds three shillings; for which the said Theodore and Jacob had undertaken, by their agreement with us, to buy in Holland, and to transport from thence hither, at their own charge and adventure, several portions of arms mentioned in a docket, then sent enclosed in our said letters; and they undertook so to secure it by insurance, and provide such a ship of force, as we might be assured to have all those arms arrive here by the tenth of March now last past. And we, by our said letters, earnestly besought that the said sum of seven thousand eight hundred fourscore and thirteen pounds three shillings might, by order of that honourable house, be speedily paid to the said Tyrenes, or Wibrant, that those provisions might arrive here by the tenth of March; that we might not lose the advantage of the then next spring, for recovering of such of the sea-ports, and other places of importance, as the

"rebels had gotten; and for proceeding effectually in this war. Those letters also moved for other provisions of war, which we conceived might be had in England in reasonable time. And we then sent a docket of those also; desiring earnestly they might be sent us speedily. And although there was an agent sent from hence in November 1641, to solicit the despatches sent from hence, who attended at London, when those our letters were sent hence; yet of so great importance was that despatch, requiring instant and speedy answer and supply from thence, as we adjudged it necessary to give special instructions to the lord Conway, and others, (besides that agent then there attending,) to move his majesty, and solicit the houses of parliament, to hasten unto us, with all possible speed, the provisions in those letters contained: and that there might nothing be omitted, that by solicitation could be obtained, there were agents also sent thither from the army to solicit for them. By letters from this board of the twentieth of February 1642, directed to Mr. Speaker, we again desired, with all possible earnestness, that the provisions of all sorts, expressed in those three letters of the twentieth of January, and the dockets therewith sent, might be hastened to us; and that the said seven thousand eight hundred fourscore and thirteen pounds three shillings, for arms to be provided in Holland, might be speedily paid. And in those last letters we again signified our miserable and unspeakable want of victuals, arms, munition, money, shoes, and other necessities; and that if the supplies we moved for came not speedily, we were unavoidably in danger to be as much devoured by our own wants, as by the sword of the rebels; and that our want of corn was so much the more, in regard that, in confidence to be plentifully supplied forth of England, we caused great destruction to be made of corn; there being indeed nothing conducting more to the destruction of rebels, than the burning of all corn.

"We also then signified the necessity of sending a farther supply of powder and match; and we declared, that no words could sufficiently express the greatness of the danger we should incur, if our supplies came not speedily: that the plate brought in amounted not to one thousand two hundred pounds; a sum very inconsiderable towards relief of the officers. By letters of this board of the twenty-fifth of February 1642, directed to Mr. Speaker, we signified, that when our means from thence failed, and our credits could hold out no longer, we were constrained, towards relief of the army, to force from the protestant merchants here, as well English as strangers, not only the commodities they had brought hither, but the native commodities also; undertaking to them that they should receive payment at London; which failing, that those that would supply us were disheartened, and durst not come hither with commodities; wherefore we again, by those letters, besought speedy supply from thence; declaring that otherwise the army and we must perish; and so far we were transported with grief, in the consideration of the high extremities of this kingdom, and army, as we did, by those letters, lament for the shame and dishonour, which we then foresaw would

"reflect upon the English nation, if then, after so long and often forewarnings, given by us to that honourable house, this kingdom were lost, and that for want of supplies from thence; wherein we then declared, that all the comfort left us was, that we had done our parts, and discharged our duties to God, to his majesty, and to all his kingdoms, who must have borne their parts with us in so heavy a loss.

"By letters from this board, dated the twenty-third of March 1642, directed to Mr. Speaker, we signified that our wants enforced us to distribute the soldiers, for their victuals, in and throughout this city and suburbs; which, we signified, could not long hold, considering the poverty of this place; and therefore, to avoid utter confusion, we did again and again beseech most earnestly, that, above all things, victuals and munition might be sent us speedily; and that money, arms, clothes, shoes, and other provisions might also be sent; declaring, that if they yet came speedily, the kingdom, and his majesty's forces here, might be thereby redeemed out of part of their distresses; and we enabled, by the blessing of God, to give his majesty such an account of this kingdom, as would be for the glory of the king our master, and the honour of the English nation, in the subduing this horrid rebellion; which, by reason of our wants, and in no other respect, was then grown very terrible: and we did again call for the provisions, moved for by our several former letters of the twentieth of January, and twentieth of February, and for the payment of the seven thousand eight hundred fourscore and thirteen pounds three shillings, for arms to be provided in Holland, and those also which we expect from London; declaring, that unless those supplies came, we should be disabled from doing service on the rebels the then next spring, or the then succeeding summer; and must undoubtedly put the rebels into a condition of prevailing against us, which we well believed the kingdom of England would never have permitted against so faithful servants and valiant soldiers, as his majesty yet had here.

"By those letters also we signified, that it was necessary that there should be here, at this harbour of Dublin, by the middle of April, at least two ships of good strength; and that the ships designed for guarding the other parts of the coasts of this kingdom, should be hastened away with all possible speed. By letters from this board directed to Mr. Speaker, dated the fourth of April 1643, we represented again the unspeakable miseries of the officers and soldiers, for want of all things; and all those made the more insupportable, in the want of food; and that this city was then apparently found to be unable to help us, as it had formerly done; and repeated again, in as lively terms as we could, the high extremities fallen, and increasing upon us; declaring, that we were enforced to see, who had any thing yet left him not taken from him, to help us; and that although there were but few such, and some poor merchants, whom we had formerly, by the law of necessity, utterly undone; yet, that we were forced to wrest their commodities from them: that there were few here, of ourselves or others, that had not felt their parts in the enforced rigour of our proceedings towards

"preserving the army; and we earnestly desired, that his majesty, and the English nation, might not suffer so great, if not irrecoverable prejudice and dishonour, as must unavoidably be the consequence of our not being relieved suddenly; but that yet, although it were then even almost at the point to be too late, supplies of victuals, and munition, in present might be hastened hither, to keep life, until the rest might follow: declaring also, that there was no victual in the store, and that there would not be an hundred barrels of powder left, when the out-garrisons, as they must then instantly have been, were supplied; and that the residue of our provisions must also come speedily after, or otherwise that England could not hope to secure Ireland, or secure themselves against Ireland; but in the loss of it, must look for such enemies from hence, as would perpetually disturb the peace of his majesty, and his kingdom of England; and among them, by sea and land, as we had often formerly represented thither; which mischiefs we signified might yet be prevented, if we were but then forthwith enabled, from thence, with means to overcome this rebellion.

"We then also again renewed our requests for the provisions mentioned in our letters of the twentieth of January, and for the payment of the seven thousand eight hundred fourscore and thirteen pounds three shillings, for arms to be provided in Holland, besides those we expected from London: we then also sent, enclosed in our letters to Mr. Speaker, a copy of writing, signed by sundry officers of the army, which was in a style threatening much danger; whereby appeared the high necessity of hastening treasure hither to pay them, and the rest of the officers, and provide victual for the soldiers. On the tenth of April 1643, we received letters from Mr. Speaker, of the seventeenth of March, in answer to our letters of the twentieth and twenty-fifth of February. Those letters from Mr. Speaker advised free trade and truck to be given to merchants, by taking our native commodities, that cannot be manufactured here, for their corn, and other victuals, and carrying them into England, or other places not prohibited. And by our letters directed to Mr. Speaker, dated the twenty-second of April, in answer to his said letters of the seventeenth of March, we made it appear, that that design could not hold to derive benefit to this army. By those our letters we signified also, that the necessities of the army still pressed us, by degrees, to break the merchants here, by wresting their commodities from them, upon promise of satisfaction in England: that the failing of that satisfaction in England, as it had undone them, so had it infinitely prejudiced the service here: that we engaged the word of this state, to procure payment to many others, out of the next treasure that shall arrive forth of England, (which courses, though very hard, did help us for a time;) that when those failed, we begun at ourselves, then at others, then at all fraternities, and corporations, as bakers, brewers, butchers, vintners, and the like; then at all particular persons observed to have any visible substance, not being able to spare poor men, who (to gain a poor living) made profession, some of selling hot waters, and some of cutting tobacco: that in the end, all

"other means failing, we had recourse to the only native commodity, hides; seizing on all that could be found, either on ship-board, ready to be exported hence, (with purpose in some of the owners of them to return victuals hither; which we were not able to wait for,) or on shore; prepared for ship-board; and made use of them to get the army in a few days' bread, still hoping provisions of victual might come to keep them alive; which did draw upon us infinite clamour.

"And by the said letters we earnestly besought, that before we should be utterly swallowed up in the confusion of affairs, wherewith we were beset, the destruction of this state, and army, and kingdom, being then no less feared to arise from the army, though sent hither for their preservation, than from the fury of the rebels, if that honourable house would not look back into all our several letters sent thither, which we then declared should for ever acquit us before God, and the world; as having discharged our duties to God, to his majesty, and to this his kingdom, in fully, and timely, and often representing thither the evils then ready to seize upon this state, the army, and the kingdom, and the means of preventing them; yet at last they would be pleased to review our said several letters of the twentieth and twenty-fifth of February, of the twentieth of January, twenty-third of March, and fourth of April. We then also signified that the soldiers, pressed through wants, attempted tumults and mutiny, plundered divers of the inhabitants of this city, as well English and protestants, as others: that we apprehended those disorders but beginnings of what, we doubted, would then shortly ensue, even the ransack of this city, if, by supplies forth of England, it were not prevented: that then there would be no refuge left, either for the army, or other English here: that we were not able to send out the soldiers, for want of money to furnish ordinary necessities, and of ammunition: wherefore we then again earnestly moved, that some means might be found for complying with our desires, in those our several letters expressed; certifying, that the state of affairs here could not possibly admit the least deferring; and that no help was to be expected from hence; as we had often, and fully, in former letters, signified thither: that if it were not immediately supplied forth of England with powder, we should not be able to defend ourselves, or offend the rebels; and that, above all things, munition, money, and victuals, were, of necessity, to be sent in the first place; and the other provisions to be sent after, which also we certified most needful to be done with all possible speed.

"By our letters of the sixth of May 1643, directed to Mr. Speaker, we signified how necessary it was, that the intended establishment should be considered there, and put into such a way as to be made perfect, and, receiving his majesty's gracious approbation, might be sent hither; which we desired to be hastened, that the officers, who daily labour in the public services, might the better know what they are to have; of which establishment we have not yet had any return. By our letters to Mr. Speaker of the 11th of May 1643, we signified, that although by letters from Mr. Speaker, dated the 17th day of March, it was advertised hither, that six weeks' provi-



sion of victuals, for each province, was in preparing, yet that it was not come, & if it was come, that it was a supply far below that which was necessary to be then sent hither. And we then again repeated the miserable condition of this army, through want of all things, especially money, victuals, clothes, arms, and munition: that there were not above forty barrels of powder in the store, (a mean and inconsiderable quantity for this army, on whom depends the preservation of the kingdom,) and we again desired, in case of so high and eminent danger, and that with all possible importunity, that a course might be then instantly taken for hastening away powder with all speed, and that the other provisions also of all sorts, mentioned in our former several letters of the 20th of January, 20th and 25th of February, the 23d of March, and the 4th and 22d of April, might be also hastened away; and that the seven thousand eight hundred and fourscore and thirteen pounds three shillings, for arms to be provided in Holland, besides those we expected from London, might be paid.

By those letters also we signified, that we could not but lament our misfortune, and the dishonour reflecting on the English nation, that the season of the year should be so far entered into, and yet (notwithstanding all the representations, often, and timely enough made thither of affairs here) no means put into our power to make use thereof, in a vigorous prosecution of the war; but instead thereof, notwithstanding all the endeavour and industry here used to prevent it, we then beheld ourselves sunk deeply into a gulph of confusion, and distress of affairs, being equally in danger to be devoured through our wants, or to be destroyed by the rebels, for want of needful habiliments of war to enable our defence, as had been formerly often and fully declared thither; and therefore we again pressed to be redeemed from the terribleness of our condition, by such timely accessions of supplies forth of England, as were contained in our said former despatches.

By our letters to Mr. Speaker, dated the 16th of May 1643, we desired that 30*l.* might be paid there, as we had formerly desired, for sundry particulars necessary for the chirurgeons of this army; there being a great want thereof for the cures of wounded men. And then we sent, and employed sir Thomas Wharton, knight, a member of this army, purposely to solicit the means of our relief, that so we might omit nothing that we conceived might conduce to the hastening of our expected supplies. And by our letters of the 16th of May, then sent to Mr. Speaker, we signified, that the kingdom was then in more danger than ever to be forced out of our hands, for want of timely supplies out of England; and we desired most earnestly, that his despatch might be hastened for our preservation, that, if it were possible, the king and kingdom of England might yet then be preserved from that irrecoverable prejudice and dishonour, which must necessarily accompany and follow the loss of this kingdom.

And here we may not omit to mention, that we prevailed with divers persons to advance provisions to us, at several times, to answer the crying necessities of this army; and to some we

gave our bills, in nature of bills of exchange, and to others, our own bonds, undertaking repayment at London by the parliament there; which we did in confidence to find ready payment there accordingly: and we do not yet hear that those bills of exchange, or bonds, are yet paid there; but we find some of the parties ready to sue and implead us here, for those debts, though contracted only for the public service.

Which proceeding of this board, from time to time, we thus at large deduce, that so it may appear fully that we have discharged those duties which we owe to his majesty, and to the trust of his majesty's affairs here, in representing thither fully, and timely, and often, the wants and extremities to which this kingdom and army were reduced, and the means requisite to be sent for relief and preservation of both; and yet in all that time, namely, from the said twentieth day of January 1642, to the tenth of June 1643, which is the day of the date of our letters, to which yours of the 4th of July is an answer, or from that time to this, there arrived here, as sent from the parliament of England, towards the relief of this army, and for maintenance of this war, but the particulars following, viz. forty-nine thousand two hundred forty-eight pounds of butter; forty-nine thousand six hundred forty-nine pounds of cheese; four hundred forty-seven barrels and a half of wheat and rye; three hundred threescore and seven barrels of pease; and three hundred fifty-six barrels of oats; also five hundred suits of clothes, one thousand cassocks, two thousand eight hundred and eighteen caps; also eight and twenty hundred three quarters and one pound of match, thirty-eight hundred two quarters and nine pound of shot, and three hundred threescore and fourteen barrels of powder; of which provisions of munition, there were three hundred and one and forty barrels of powder, and five hundred fifty-five pound two quarters and four and twenty pound of match, which was the munition we had contracted for here, and in the way, coming from Holland, was intercepted at sea, and carried to Calais, and afterwards set free there by the mediation of his majesty, and the houses of parliament in England, but the price thereof stands charged on the said houses of parliament.

This was not above a week's provision, or thereabouts, of victuals, for the army in Lemster, being fifteen regiments of foot, and twenty-two troops of horse, and four troops of dragoons, besides train of artillery, and four hundred firelocks; so as certainly there was a failure in supplying us, and that failure was not occasioned through any neglect on our parts, in not representing thither the wants and extremities endured by this army; and the means of their supply is, as we conceive, very clear by those several despatches sent from us to Mr. Speaker. And seeing, that the charge of this war was referred to, and undertaken by, the houses of parliament of England, and that by those despatches they fully understood the condition of affairs here, we offer it to any man's consideration, whether or no we had not just cause to conceive, and accordingly to express in that act of council, that our difficulties, which were necessary to be mentioned in that act, were occasioned



“through the failure of the houses of parliament  
“in England.

“And whereas you write, that the lords and  
“commons in parliament do believe we have sent  
“copies of our said letters and act of council to his  
“majesty, it is true, that we have so done; and  
“therein acquitted ourselves towards that duty  
“which we owe him; and had failed in our duties,  
“if we had done otherwise. But how from that,  
“as we conceive, necessary and true expression of  
“ours in the said act of council, or from our send-  
“ing a copy thereof, and of our said letters, to his  
“majesty, there can be any just cause to suspect  
“(as your letters seem to infer) there is such an im-  
“pious design now on foot, as your letters mention,  
“we confess we do not understand, or any design  
“at all other than the needful settling here of the  
“imposition, in nature of an excise, in these our  
“letters and act of council mentioned; without  
“which this army could not have subsisted to this  
“time; and was pressed by the committee from  
“the parliament here, but then avoided; our  
“hopes being then more, and our necessities not  
“so great as they were when we laid it. And as  
“we find by your letters, that the lords and com-  
“mons in parliament there have done us the right,  
“by your said letters, to signify that they cannot  
“think we intended, by that expression, to farther  
“the design in your letters mentioned, so we hold  
“it necessary to declare, that we neither have for-  
“gotten, nor can forget, the present condition of  
“that kingdom; but we have a long time beheld,  
“and still behold, and lament with bleeding hearts,  
“the woful condition of that kingdom, and how  
“God’s hand is still stretched out against us, in  
“those heavy distractions there; yet we comfort  
“ourselves with hope, that God, in mercy to his  
“majesty, and to all his kingdoms and people, will  
“at length, in his own good time, answer the  
“prayers and tears of us his majesty’s servants,  
“and many thousands of others his good subjects  
“there, and here, continually poured out for his  
“majesty, and his kingdom, in removing that  
“heavy judgment, and settling peace and tranquil-  
“lity there, to the glory of God, the honour of his  
“majesty, and the joint happiness of all his sub-  
“jects, in all his kingdoms and dominions.

“Nor have we forgotten the supplies of all sorts  
“sent hither by the parliament, but do very well  
“remember them. But we confess we know not  
“what relief coming hither hath been taken away,  
“either by sea or land, or by whom, or what dis-  
“couragement hath been given them in return:  
“only we have heard, that the shipping, employed  
“by the rebels at Wexford, did give them some  
“interruption at sea; and that was occasioned by  
“neglect of duty in those who commanded the  
“ships designed for the guard of the coasts of this  
“kingdom: and the said ship bound hither from  
“Holland with munition, which we had contracted  
“for here, was intercepted at sea, and carried to  
“Calais, and afterwards set free there, by the  
“mediation of his majesty and the houses of par-  
“liament in England. And we find that some  
“ships, sent hither it seems at first with provi-  
“sions from London, and other ships bound  
“hither with provisions on private men’s adven-  
“tures, were taken away even from this harbour,  
“a few days before the cessation of arms here, as  
“they were coming in, and carried to Liverpool,  
“by one captain Dausk, a person employed by the

“two houses of parliament there, in the command  
“of a ship; and that ship commanded by Dausk,  
“and other ships employed at Liverpool, do now,  
“and have a long time stayed on that side, laden  
“with provision of victuals, coals, and other neces-  
“sary relief bound from thence hither to be sold;  
“which, if they had arrived here, would have  
“brought great relief to this army, and the inha-  
“bitants in this city, though on the adventure of  
“the bringers; which we hold necessary to repre-  
“sent thither, to the end that their uncharitable-  
“ness towards those poor men that would adven-  
“ture hither to relieve us, and their inhumanity  
“towards this distressed army and city, and many  
“of his majesty’s protestant subjects therein,  
“might appear so, as they, or others, may not  
“presume hereafter to offend in that kind.

“And whereas you write, that we should not  
“conceive that only the charge of this war was  
“referred to, and undertaken by, the parliament,  
“as if their part were to be our bankers, only to  
“provide monies for us to spend, and were not to  
“advise and direct the managing of the war; we  
“confess we neither did, nor do conceive the par-  
“liament there to be bankers for us; but did  
“esteem them, as those to whom the king our  
“master referred the charge of this war, and to  
“whom, as so intrusted by his majesty, this board,  
“from time to time, made application; and if any  
“advice had come from them, concerning the  
“managing of the war, we should have endea-  
“voured to have made the best use thereof, for  
“the furtherance of his majesty’s service here.  
“And here we hold it necessary to declare, that  
“when we understood, that his majesty, at the  
“humble desire of the lords and commons of par-  
“liament in England, had, in April 1642, granted  
“a commission to some members of both houses,  
“for ordering and disposing all matters there, for  
“the defence, relief, and recovery of this king-  
“dom; and that his majesty commanded all his  
“officers, ministers, and subjects of his kingdoms  
“of England and Ireland, to be obedient, aiding,  
“and assisting to the said commissioners in the  
“due execution of the said commission; and that  
“by his majesty’s instructions, annexed to the  
“said commission, his majesty gave it in charge  
“to those commissioners, to advertise his lieutenant  
“of Ireland, the council, and other governors and  
“commanders here, what they conceived to be  
“needful for the prosecution of the war in the best  
“manner, for the defence of this his kingdom, and  
“ease of the great charges and expenses, which,  
“by occasion of this rebellion, lay upon his loving  
“subjects of his kingdom of England: we there-  
“fore, by our letters of the seventh of June 1642,  
“directed to those his majesty’s commissioners,  
“besought, among other things, present and par-  
“ticular direction for the prosecution of the war;  
“which yet we have not received: only we had  
“advice from thence, to send some forces into  
“Connaught; which was done; and for sending  
“some forces into Munster, which, by our letters  
“of the thirteenth of September 1642, to the com-  
“missioners there, we signified was not possible  
“for us to do, unless we were plentifully supplied  
“of those things, whereof the wants then certified  
“thither did then disable us.

“Concerning the commission in your letters  
“mentioned, it was not to hear what the rebels  
“would say, or propound for their own advan-

"tage, as your letters mention; but his majesty having received an humble petition, in the name of the recusants of Ireland, desiring to be heard, his majesty thought it not unjust, or inconvenient for him, to receive from them what they could say unto him; to whom they insinuated that they would yet yield due obedience. And therefore his majesty, by his commission under the great seal of England, (wherein he declared his extreme detestation of the odious rebellion, which the recusants of Ireland have, without any ground or colour, raised against him, his crown, and dignity,) authorized some of his ministers here, to hear at large what the petitioners should say, or propound; which his majesty, by the said commission, directed that the petitioners, or the principal of them, authorized by the rest, should set down in writing under their hands; and the commissioners to send the same to his majesty; whereupon his majesty by the said commission declared, he would take such farther consideration, as should be just, honourable, and fit for his majesty: and that that course gave not the least interruption to the proceeding of the war, appears by this, that on the eighteenth of March (being in the time the commissioners, authorized by his majesty, gave meeting to those of the other side, upon that commission) the lord marquis of Ormond, though one of those commissioners, in his return from Rosse with about two thousand five hundred foot, and five hundred horse of his majesty's army, fought with the army of the rebels, consisting of about six thousand foot, and six hundred and fifty horse, and obtained a happy and glorious victory against them; and the rebels' army being defeated, and wholly routed, and their baggage and munition seized on, his majesty's forces lodged that night where they had gained the victory, as by former letters of this board, of the fourth of April 1643, directed to Mr. Speaker, we formerly signified thither: which we thus repeat, to manifest that that commission, or the meeting thereupon, gave not any manner of interruption to the proceeding of the war.

"Concerning the letters you mention, to divest the committee of both houses there of an authority given them by both houses, we remember that his majesty, by his letters of the third of February 1642, understanding that the then justices and council had admitted, without his order or knowledge, to sit in council with them in this his kingdom, Mr. Robert Goodwin and Mr. Reynolds, and that thereby they were become so bold, as to take upon them to hear, and debate of matters treated of in council, his majesty, by his said letters, signified by his express command, that they should not be permitted to sit, or be present any more at his majesty's council-table here; but if they had any business, his majesty willed, that they should attend as others of their quality: which his majesty's pleasure was humbly obeyed by his said justices and council, with that duty and submission, which was due from them to his royal commands. And as his majesty, by his said letters, required, that, if those persons had any business, they should attend, as others of their quality; so, if they had afterwards offered any business at this board, they should have been heard therein; which was also signified to them before their departure

"hence. And now, upon this occasion, we having perused the copies they delivered at this board, of the order of both houses dated the sixth of October 1642, and of their instructions, do find indeed, that, by the said order, the said Robert Reynolds, and Robert Goodwin, were to have the credence, power, and esteem of a committee sent hither by the advice and authority of both houses of parliament; and that, by the said instructions, they were to be admitted to be present, and vote at all consultations concerning the war; yet there is nothing in the said order, or instructions, for admitting them to sit, or be present at his majesty's council-table; which is that which his majesty, by his said letters, required, should not be permitted; which cannot be conceived to be a divesting them of any authority given them by both houses.

"And as to the late alteration of government here, expressed in your letters, although his majesty in his high wisdom adjudged it fit to alter one of those governors, which he had placed here, which was no more than he and his royal predecessors had usually done in all ages, as often as they thought fit, yet that made no alteration in the government; but it in all times continued, and still continues, the same, though in other persons.

"That part of your letters which declares, that you are forbidden to tell us what supplies of money, victual, ammunition, and other necessaries, were then in a good forwardness to be sent hither for the support of the officers and soldiers here, requires no answer on our parts, other than this truth, that they are not yet arrived here. Concerning Mountrose's letters to colonel Crawford, we know of no treason to be discovered thereby; but for the sea-captains in your letters mentioned, it is certain that their neglects and misdeeds deserve punishment, which we desire they may find rather to their correction, than to their ruin.

"Thus we have given answer to those parts of your letters, which, we conceived, concerned us; whereby, we hope, both houses of parliament there will now remain satisfied, as in the necessity and justice of our actions, so in the truth and candour of our intentions, in those particulars to which your said letters seem to take exception. And so we remain,

*From his majesty's castle of Dublin, 28th of Oct.*

1643.

"Your lordships' very loving friends,  
*Jo. Borlase. Hen. Tichborne. Rich. Bolton, Canc. La. Dublin. Ormond. Roscommon. Ant. Midensis. Ed. Brabazon. Char. Lambert. Geo. Shurley. Ger. Lowther. Tho. Rotherham. Fr. Willoughby. Tho. Lucas. Ja. Ware. G. Wentworth.*

The distractions in Ireland being, by this means, in some degree allayed, and both parties having time to breathe, the king, in the next place, considered how he might apply that cessation to the advancement of his affairs in England. One of the principal motives that induced that cessation, was the miserable state of the army there, ready, through extreme wants, to disband; so that there being now less use of them there, and an impossibility to keep them, his majesty had it only in his election, whether he should suffer them there

to disband, and dispose of themselves as they thought fit, which could not be without infinite disorder, and might probably prove as much to his particular disservice; or whether he should draw over such a number as might be safely spared, to his own assistance in England; to which he was assured, that the devotion and affection of most of the principal or considerable officers there cheerfully inclined; and of this latter he made little scruple to make choice, when he was not only informed of the preparations and readiness in Scotland to invade this kingdom; but that they had called over their old general, the earl of Leven, who commanded the Scotch forces in Ireland, and many other officers and soldiers out of that kingdom, to form and conduct their army into this; and that there were also arts and industry used, by some agents for the parliament, to persuade the English officers likewise to bring over their men for their service.

So that [the king] directed the marquis of Ormond, to make choice of such regiments and troops as were necessary for the defence of the several garrisons, or as could be provided for, and supported in that kingdom, and that the rest should be sent for England. To which purpose, shipping was sent; with direction, that those from and about Dublin should be shipped for Chester, to be joined to those forces under the command of the lord Capel; whereby he might be able to resist the growing power of sir William Bruerton; who, by an addition of forces from London, and with the assistance of sir Thomas Middleton, and sir John Gell, was grown very strong; being backed by Lancashire, which upon the matter was wholly reduced to the obedience of the parliament: and that the other forces out of Munster should be landed at Bristol, to be disposed by the lord Hopton; who was forming a new army, to oppose sir William Waller; who threatened an inroad into the west; or rather to seek him out by visiting Hampshire and Sussex, if the other were not ready to advance.

The court [at Oxford] was much increased by the queen's presence, and the necessities were increased with the expense. All correspondence was absolutely broken with London, insomuch as a sworn messenger of the chamber, sent to London with a writ, and proclamation for the adjournment of the term to Oxford, was apprehended as a spy, (as hath been said before,) and executed by martial law; and the two houses caused a great seal to be made with the king's image and inscription, and put the same into the hands of commissioners; and so the courts were continued in Westminster-hall, for the despatch of justice, (as they called it,) as had been formerly, notwithstanding the king's proclamation. The money, which the particular persons of all conditions had been very plentifully supplied with in the beginning of the war, now near spent, and the stopping the intercourse with London, had shut the door against farther supply, so that all men were weary of the condition they were in, and expressed it, as weary men used to do, in murmurs and complaints. And now all the hope was in the convention of the members of parliament; which, being a new thing, suspended the present indisposition, and administered some expectation, what they, who came from all quarters of the kingdom, would do.

According to the king's proclamation, the members of both houses of parliament, who had withdrawn out of conscience and duty from those at Westminster, appeared at Oxford at the day appointed; (except such as could not reasonably be absent from their commands in the counties, where the armies were;) who were graciously and solemnly welcomed by his majesty, with that ceremony which is used at the opening of a parliament; when his majesty told them:

"That he had called them to be witnesses of his actions, and privy to his intentions; and that he desired to receive any advice from them, which they thought would be suitable to the miserable and distracted condition of the kingdom; in presenting whereof, they should use all that parliamentary freedom which would be due to them if they were with him at Westminster, and which, with all their other privileges, they should enjoy at Oxford, though they could not in the other place;" with many expressions of grace towards them, and confidence in them. As soon as they had withdrawn to those places which were assigned to their counsels, both lords and commons entered upon the deliberation of all possible expedients, in order to peace; most men believing, according to the reason and conscience of their own hearts, that the difficulty was greater, to dispose those at London to the honesty and confidence of a treaty, than, in that treaty, to agree on such conclusions which might be satisfactory to all parties; judging it impossible, that men could desire to bring ruin and desolation upon their country, if they were once persuaded that it might be prevented with their own preservation. But how to advance to any formality, which probably might produce a disposition to intercourse, appeared very hard. When they thought of advising the king to send a gracious message and overture to the two houses, they presently remembered and considered what his majesty had already done that way, and how ill returns of reverence and duty he had received from them: that to the two last messages he had sent (it being not possible now to send any more gracious and obliging) they had never returned answer, and that they still detained his last messenger in strict durance, after having exposed him to a trial for his life at a court of war: that they had prohibited any kind of address to be made to them from his majesty, except through the hands of the earl of Essex their general. From thence they entered upon the disquisition, how they might engage his lordship to the same thoughts and desires with them; to the which they easily believed, experience, observation, and interest, would engage him. They persuaded themselves, that the principal ground which had hitherto frustrated all overtures from his majesty towards peace, was the conscience [those at Westminster had] of their own guilt, and the jealousy that proceeded from thence, that no peace could secure them, whilst there was power left in his majesty; but that they could not possibly suspect the performance and exact observation of any agreement, which should be concluded upon the intercession of all the king's party; which must be security for the accomplishment of it. And from the reasonableness of this assertion, they entertained an assurance, that the earl of Essex would as greedily embrace the opportunity, and concur with them

in promoting the overture; which was all they desired: for that would remove those forms, which, as so many rocks, were in the way. Hereupon the lords and commons, the members of both houses, resolved to write a letter to the earl of Essex, in their own names, which, with the king's consent, was by trumpet sent to him, within four days after their meeting. The letter was in these very terms.

"My lord,

"His majesty having, by his proclamation of the twenty-second of December, (upon the occasion of the invasion threatened, and in part begun, by some of his subjects of Scotland,) summoned all the members of both houses of parliament, to attend him here at Oxford, we whose names are underwritten are here met and assembled, in obedience to those his majesty's commands. His majesty was pleased to invite us, in the said proclamation, by these gracious expressions, that his subjects should see, how willing he was to receive advice, for the preservation of the religion, laws, and safety of the kingdom, and, as far as in him lay, to restore it to its former peace and security (his chief and only end) from those whom they had trusted; though he could not receive it in the place where he appointed. This most gracious invitation hath not only been made good unto us, but seconded and heightened by such unquestionable demonstrations of the deep and princely sense, which possesses his royal heart, of the miseries and calamities of his poor subjects in this unnatural war, and of his most entire and passionate affections to redeem them from that sad and deplorable condition, by all ways possible, consistent either with his honour, or with the future safety of the kingdom, that as it were impiety to question the sincerity of them, so were it great want of duty and faithfulness in us, (his majesty having vouchsafed to declare, that he did call us to be witnesses of his actions, and privy to his intentions,) should we not testify, and witness to all the world, the assurance we have of the piety and sincerity of both. We being most entirely satisfied of this truth, we cannot but confess, that amidst our highest afflictions, in the deep and piercing sense of the present miseries and desolations of our country, and those farther dangers threatened from Scotland, we are at length erected to some cheerful and comfortable thoughts, that possibly we may yet (by God's mercy, if his justice have not determined this nation, for its sins, to total ruin and desolation) hope to be happy instruments of our country's redemption, from the miseries of war, and restitution to the blessing of peace.

"And we being desirous to believe your lordship, however engaged, a person likely to be sensibly touched with these considerations, have thought fit to invite you to that part in this blessed work, which is only capable to repair all our misfortunes, and to buoy up the kingdom from ruin; that is, by conjuring you by all the obligations that have power upon honour, conscience, or public piety, that laying to heart, as we do, the inward bleeding condition of your country, and the outward more menacing destruction by a foreign nation, upon the very

"point of invading it, you will cooperate with us to its preservation, by truly representing to, and faithfully and industriously promoting with, those by whom you are trusted, this following most sincere and most earnest desire of ours; that they joining with us in a right sense of the past, present, and more threatening calamities of this deplorable kingdom, some persons be appointed on either part, and a place agreed on, to treat of such a peace, as may yet redeem it from the brink of desolation.

"This address we should not have made, but that his majesty's summons, by which we are met, most graciously proclaiming pardon to all without exception, is evidence enough, that his mercy and clemency can transcend all former provocations; and that he hath not only made us witnesses of his princely intentions, but honoured us also with the name of being security for them. God Almighty direct your lordship, and those to whom you shall present these our most real desires, in such a course as may produce that happy peace, and settlement of the present distractions; which is so heartily desired, and prayed for, by us, and which may make us,

"Your &c."

*From Oxford 29th of Jan. 1643.*

This letter was subscribed by his highness the prince, the duke of York, and three and forty dukes, marquises, earls, viscounts, and barons of the house of peers, and one hundred and eighteen members of the house of commons; there being such expedition used in the despatch, that it was not thought fit to be deferred for a greater subscription: albeit it was known that many lords and commons were upon the way, who came within few days; and there were, at that time, near twenty peers absent with his majesty's leave, and employed in his affairs and armies, in the kingdom; and ten at the same time in the parts beyond the seas. So that the numbers at London were very thin; for there were not above two and twenty peers, who either sat in the parliament, or were engaged in their party; that is to say, the earls of Northumberland, Pembroke, Essex, Kent, Lincoln, Rutland, Salisbury, Suffolk, Warwick, Manchester, Mulgrave, Denbigh, Stamford, Bul-lingbrook; the lords Say, Dacres, Wharton, Grey of Warke, Willoughby of Parham, Howard of Escrick, Rochfort, and Robarts; who were present, or had proxies there.

The trumpet found the earl of Essex at his house in London; where he was detained three or four days; during which time, the committee of both houses, that committee which they called the committee of safety for the two kingdoms, (the Scottish commissioners being a part of it,) resorted to him for his advice: and in the end, [the trumpet] returned with this short letter to the earl of Forth, the king's general.

"My lord,

"I received this day a letter, of the twentieth of this instant, from your lordship, and a parchment subscribed by the prince, duke of York, and divers other lords and gentlemen; but it neither having address to the two houses of parliament, nor therein, there being any acknowledgment of them, I could not communicate it to them. My lord, the maintenance

"of the parliament of England, and of the privileges thereof, is that for which we are all resolved to spend our blood; as being the foundation whereupon all our laws and liberties are built. I send your lordship herewith a national covenant, solemnly entered into by both the kingdoms of England and Scotland; and a declaration passed by them both together, with another declaration of the kingdom of Scotland. I rest  
"Your lordship's &c."

What the covenant was, being the same particularly set down before, I need not mention; and the declarations are as public, and would be thought too large to be in this place inserted, to the interruption of the thread of this discourse; yet it cannot be amiss to make a short extract of some particular heads or conclusions of them; that the world may see what kind of reasoning this time had introduced, and that they were as bold with God as with the king.

That declaration of the kingdom of Scotland alone, was, to justify their present expedition into England; in which they said, "It was most necessary, that every one, against all doubting, should be persuaded in his mind of the lawfulness of his undertaking, and of the goodness of the cause maintained by him; which they said was no other, than the good of religion in England, and the deliverance of their brethren out of the depths of affliction; the preservation of their own religion, and of themselves from the extremity of misery, and the safety of their native king, and his kingdoms, from destruction and desolation. Any one of which, (they said,) by all law divine and human, was too just cause of taking of arms; how much more, when all of them were joined in one? And therefore, they wished any man, who did withdraw, and hide himself in such a debate and controversy, to consider, whether he were not a hater of his brethren, against Christian and common charity; an hater of himself and his posterity, against the law and light of nature; an hater of the king, and his kingdoms, against loyalty, and common duty; and a hater of God, against all religion, and peace."

They said, "the question was not, nor need they dispute, whether they might propagate their religion by arms; but whether, according to their power, they ought to assist their brethren in England, who were calling for their help, and were shedding their blood in defence of that power, without which religion could neither be defended nor reformed; nor unity of religion with them, and other reformed kirks, be attained. So that, they said, the question was no sooner rightly stated, but it was as soon resolved; and concluded, *that the Lord would save them from the curse of Meroz, who came not to help the Lord against the mighty.* They said, the question could not be, as their enemies would make it, whether they should enter into England, and lift arms against their own king, who had promised and done as much, as might secure them in their own religion, and liberties: but whether against the popish, prelatical, and malignant party, their adherents prevailing in England and Ireland, they were not bound to provide for their own preservation. That they might well have known, from their continual experience,

"ever since the time of their first reformation, especially after the two kingdoms were united under one head and monarch, and from the principles of their own declarations, in the time of their late troubles and dangers, that they could not long, like Goshen, enjoy their light, if darkness should cover the face of other reformed kirks: that Judah could not long continue in liberty, if Israel were led away in captivity; and that the condition of the one kirk and kingdom, whether in religion or peace, must be common to both.

"They said, the question was not, whether they should presume to be arbitrators in the matter, now debated by fire and sword, betwixt his majesty and the houses of parliament; which might seem to be foreign and extrinsical to that nation, and wherein they might be conceived to have no interest; but whether, their mediation and intercession being rejected by the one side, upon hope of victory, or suppose by both sides, upon confidence of their own strength and several successes, it were not their duty, it being in their power, to stop or prevent the effusion of Christian blood; or whether they ought not to endeavour to rescue their native king, his crown, and posterity, out of the midst of so many dangers, and to preserve his people and kingdom from ruin and destruction. If every private man were bound in duty to interpose himself as a reconciler and sequestrator between his neighbours, armed to their mutual destruction; if the son ought to hazard his own life for the preservation of his father and brother, at variance one against the other, should a kingdom sit still, and suffer their king and neighbouring kingdom to perish in an unnatural war? In the time of animosity, and appetite of revenge, such an interposing might be an irritation; but afterwards, when the eyes of the mind, no more blood-run with passion, did discern things right, it would be no grief or offence of heart, but matter of thanksgiving to God, and to the instruments which had kept from shedding blood, and from revenge."

With this kind of divinity, and this kind of logic, to shew that they had a clear prospect of whatsoever could be said against them, they resolved to invade their neighbour nation, and to interpose themselves as reconcilers, by joining against their native and natural king, with his rebellious subjects, in all the acts of animosity and blood, which have been ever practised in the most raging and furious civil war.

The other declaration, mentioned in the earl's letter, was a declaration passed, and published in the name of both kingdoms, England and Scotland, after their marriage by their new league and covenant, and about the very time that this overture for peace came from Oxford. They were now both equally inspired with the Scottish dialect and spirit; talked, "how clearly the light of the gospel shined amongst them; that they placed not their confidence in their own counsels and strength; but their confidence was in God Almighty, the Lord of Hosts, who would not leave nor forsake his people. It was his own truth and cause, which they maintained against the heresy, superstition, and tyranny of Antichrist: the glory of his name, the exaltation of the kingdom of his Son, and the preservation of his church, was

"their aim, and the end which they had before their eyes. It was his covenant, which they had solemnly in both nations sworn, and subscribed; which he would not have put in their hearts to do, if he had been minded to destroy them. Upon these and the like grounds and considerations, being confident that this war, wherein both nations were so firmly united, and deeply engaged, was of God, they resolve with courage and constancy to the end to do their part; and the Lord, who had stirred up their spirits, displayed his banner before them, and given the alarm, do that which seemeth him good."

They gave now "public warning to all men to rest no longer upon their neutrality, or to please themselves with the naughty and slothful pretext of indifference; but that they address themselves speedily to take the covenant, and join, with all their power, in the defence of this cause against the common enemy; and by their zeal, and forwardness hereafter, to make up what had been wanting through their lukewarmness; this they would find to be their greatest wisdom and safety; otherwise they did declare them to be public enemies to their religion and country; and that they were to be censured and punished, as professed adversaries, and malignants."

Then they proclaimed "a pardon to all those who would before such a day desert the king, and adhere to them, and take the covenant;" and concluded, "that they made not that declaration from any presumption, or vain glorying in the strength of their armies and forces, but from the sense of their duty, which was required and expected from the high places, and public relations, wherein they stood; and from the assurance they had of the assistance of God, by whose providence, the trust and safety of those kingdoms was put into their hands at this time; having, after long and grave consultation, resolved and decreed never to lay down arms, till truth and peace, by the blessing of God, be settled in this island, upon a firm foundation for the present and future generations; which, they said, should be esteemed of them an abundant reward of all that they could do, or suffer in that cause."

These were the declarations which the earl of Essex, together with the covenant, sent, as an answer to that letter from the prince of Wales, and those lords and gentlemen; which might have been the foundation of an honest and honourable peace to all the king's dominions. And I cannot but observe, that after this time that the earl declined this opportunity of declaring himself, he never did gallant or prosperous act in the remainder of his life; but whereas before, he had throughout the course of his command, how unwarrantably soever undertaken, behaved himself with very signal courage and conduct, and at this time was adorned with the testimony of friends and enemies, of a right good general, upon the conclusion of the business of Gloucester; he never, after his taking this covenant, and writing this letter, did one brave thing; but proved unfortunate in all he went about, even to his death; of which we shall say more in its place.

And we the rather extracted these short clauses of those two declarations, that posterity may observe the divine hand of Almighty God upon the people of these miserable kingdoms; that after

they had broken loose from that excellent form and practice of religion, which their ancestors and themselves had observed and enjoyed, with a greater measure of happiness, than almost any nation lived under, so long a time; and after they had cancelled and thrown off those admirable and incomparable laws of government, which was compounded of so much exact reason, that all possible mischiefs were foreseen, and provided against; they should be now captivated by a profane and presumptuous entitling themselves to God's favour, and using his holy name in that manner, that all sober Christians stand scandalized, and amazed at; and [should] be deluded by such a kind of reasoning and debate, as could only impose upon men unnurtured, and unacquainted with any knowledge or science.

There wanted not a just indignation at the return of this trumpet; and yet the answer being so much out of that popular road, of saying something plausibly to the people, it was thought fit again to make an attempt, that at least the world might see, that they did, in plain English, refuse to admit of any peace. So the earl of Forth was advised to write again to the other general, for a safe conduct for two gentlemen then named, against whom no imaginable exception could be taken, to and from Westminster, to be sent by his majesty concerning a treaty of peace. To this the earl of Essex returned answer, "that whensoever he should receive any directions to those who had intrusted him, he should use his best endeavours; and when a safe conduct should be desired for those gentlemen, mentioned in his letter, from his majesty to the houses of parliament, his lordship would, with all cheerfulness, shew his willingness to farther any way that might produce that happiness, which all honest men prayed for; which is a true understanding between his majesty, and his faithful and only council, the parliament."

This expression of his resolution of interposing, if he had a letter from his majesty to the houses of parliament, (together with some intimation in letters from London, which at these seasons never wanted,) persuaded many, that the earl wanted only an opportunity to possess the houses with the overture, and if it were once within the walls, there were so many well affected to peace, that the proposition would not be rejected; though no particular person, or combination of men, had the courage, of themselves, to propose it. And therefore at the same time, making all possible preparations for the field, as the scene where the differences were like to be decided, his majesty was prevailed with, though he concluded it would be rejected, to send this ensuing message, which was enclosed to the earl of Essex, to be by him managed.

"Out of our most tender and pious sense of the sad and bleeding condition of this our kingdom, and our unwearied desires to apply all remedies, which, by the blessing of Almighty God, may recover it from an utter ruin, by the advice of the lords and commons of parliament, assembled at Oxford, we do propound, and desire, that a convenient number of fit persons may be appointed, and authorized by you, to meet, with all convenient speed, at such place as you shall nominate, with an equal number of fit persons whom we shall appoint, and authorize to treat of the ways and means to settle the present dis-

"tractions of this our kingdom, and to procure a happy peace: and particularly, how all the members of both houses may securely meet in a full and free convention of parliament, there to treat, consult, and agree upon such things, as may conduce to the maintenance and defence of the true reformed protestant religion, with due consideration to all just and reasonable ease of tender consciences; to the settling and maintaining of our just rights and privileges, of the rights and privileges of parliament, the laws of the land, the liberty and property of the subject, and all other expedients, that may conduce to that blessed end of a firm and lasting peace both in church and state, and a perfect understanding betwixt us and our people: wherein no endeavours or concurrence of ours shall be wanting, and God direct your hearts in the way of peace."

*"Given at our court at Oxford, 3d March 1643."*

This message being signed by his majesty, was superscribed to the lords and commons of parliament assembled at Westminster; which, though it was a style they could not reasonably except against, was yet no other than the lords and commons at Oxford took upon themselves, as they well might. After two or three days' debate in the houses, and with the Scottish commissioners, without whose concurrence nothing was transacted, this answer was returned to his majesty; which put a period to all men's hopes, who imagined that there might be any disposition in those councils to any possible and honest accommodation.

"May it please your majesty:

"We the lords and commons assembled in the parliament of England, taking into our consideration a letter sent from your majesty, dated the 3d of March instant, and directed to the lords and commons of parliament assembled at Westminster, (which, by the contents of a letter from the earl of Forth unto the lord general the earl of Essex, we conceive was intended to ourselves,) have resolved with the concurrent advice and consent of the commissioners of the kingdom of Scotland, to represent to your majesty, in all humility and plainness, as followeth: That as we have used all means for a just and safe peace, so will we never be wanting to do our utmost for the procuring thereof; but when we consider the expressions in that letter of your majesty's, we have more sad and despairing thoughts of attaining the same than ever, because thereby, those persons now assembled at Oxford, who, contrary to their duty, have deserted your parliament, are put into an equal condition with it. And this present parliament, convened according to the known and fundamental laws of the kingdom, (the continuance whereof is established by a law consented unto by your majesty,) is in effect denied to be a parliament; the scope and intention of that letter being to make provision how all the members, as is pretended, of both houses may securely meet in a full and free convention of parliament; whereof no other conclusion can be made, but that this present parliament is not a full, nor free convention; and that to make it a full and free convention of parliament, the presence of those is necessary, who, notwithstanding that they have deserted that great trust, and do levy

"war against the parliament, are pretended to be members of the two houses of parliament.

"And hereupon we think ourselves bound to let your majesty know, that seeing the continuance of this parliament is settled by a law, which (as all other laws of your kingdom) your majesty hath sworn to maintain, as we are sworn to our allegiance to your majesty, (these obligations being reciprocal,) we must in duty, and accordingly are resolved, with our lives and fortunes, to defend and preserve the just rights and full power of this parliament; and do beseech your majesty to be assured, that your majesty's royal and hearty concurrence with us herein will be the most effectual and ready means of procuring a firm and lasting peace in all your majesty's dominions, and of begetting a perfect understanding between your majesty and your people: without which, your majesty's most earnest professions, and our most real intentions concerning the same, must necessarily be frustrated. And in case your majesty's three kingdoms should, by reason thereof, remain in this sad and bleeding condition, tending, by the continuance of this unnatural war, to their ruin, your majesty cannot be the least nor the last sufferer. God in his goodness incline your royal breast, out of pity and compassion to those deep sufferings of your innocent people, to put a speedy and happy issue to these desperate evils, by the joint advice of both your kingdoms, now happily united in this cause by their late solemn league and covenant; which as it will prove the surest remedy, so it is the earnest prayer of your majesty's loyal subjects, the lords and commons assembled in the parliament of England.

*"Grey of Warke,*

*"Speaker of the house of peers in parliament  
pro tempore:*

*"William Lenthall,*

*"Speaker of the house of commons in parliament.  
Westminster, the 9th of Mar. 1643."*

The hope of peace, by this kind of interposition, did not in any degree make the counsels remiss for the providing of money to supply the army: upon which they had more hope than from a treaty. But the expedients for money were not easily thought upon; though there was a considerable part of the kingdom within the king's quarters, the inhabitants were frequently robbed and plundered by the incursions of the enemy, and not very well secured against the royal troops, who began to practise all the license of war. The nobility and gentry, who were not officers of the army, lived for the most part in Oxford; and all that they could draw from their estates, was but enough for their own subsistence; they durst not enter upon charging the people in general, lest they should be thought to take upon them to be a parliament; and their care was, that the common people might be preserved from burdens; and they were as careful not to expose the king's honour, or name, to affronts and refusals; but were willing that the envy and clamour, if there should be any, should fall upon themselves.

They appointed all the members of the commons, "to bring in the names of all the gentlemen of estate, and other persons who were reputed to be rich, within their several precincts; and what sum of money every body might be well able to



"supply the king with, in this exigent of the public state." And then a form of a letter was conceived, which should be sent to every one of them, for such a sum; "the letter to be subscribed by the two speakers of the houses, to the end that the people might know, that it was by the advice of the members of parliament assembled there; which was as much the advice of parliament, as could be delivered at that time in the kingdom." When the way and method of this was approved by the lords, and his majesty likewise consented to it; they began, the better to encourage others, with themselves; and caused letters to be signed and delivered to the several members of both houses, "for such sums as they were well disposed to furnish;" which were to that proportion as gave good encouragement to others; and the like letters to all persons of condition who were in the town. And by this means, there was a sum raised in ready money, and credit, that did supply many necessary occasions, near the sum of one hundred thousand pounds, whereof some came in every day, to enable the king to provide for the next campaign; which, the spring coming on, was to be expected early; the parliament having raised vast sums of money, and being like to bring many armies into the field. All, who were to furnish money upon these letters, had liberty to bring, or send it in plate, if that was for their convenience; the king having called the officers and workmen of his mint to Oxford, who coined such plate as was brought in; his majesty likewise made a grant of some forests, parks, and other lands, to certain persons in trust, for the securing of such money as should be borrowed, or those persons who should be bound for the payment of such money; and by this means likewise many considerable sums of money were procured, and cloth, and shoes, and shirts, were provided for the army.

The two houses at Westminster, who called themselves, and they are often called in this discourse, the parliament, had at this time by an ordinance, that is an order of both houses, laid an imposition, which they called an excise, upon wine, beer, ale, and many other commodities, to be paid in the manner very punctually and methodically set down by them, for the carrying on the war. And this was the first time that ever the name of payment of excise was heard of, or practised in England; laid on by those who pretended to be most jealous of any exaction upon the people: and this pattern being then printed, and published at London, was thought by the members at Oxford, as a good expedient to be followed by the king; and thereupon it was settled, and to be governed and regulated by commissioners, in the same method it was done at London. And in Oxford, Bristol, and other garrisons, it did yield a reasonable supply for the provision of arms and ammunition; which, for the most part, it was assigned to; both sides making ample declarations, with bitter reproaches upon the necessity that drew on this imposition, "that it should be continued no longer than to the end of the war, and then laid down, and utterly abolished;" which few wise men believed it would ever be.

The high and insolent proceedings at Westminster made no impression at Oxford towards the shaking the allegiance and courage of those, whom his majesty had called to advise him. But when

they found the temper of the other so much, above belief, averse to peace, and intending utter ruin to the king, the church, and all who should continue true Englishmen and subjects, they resolved as frankly to declare their resolutions, that the people might see the issue they were at; and therefore they published a declaration of the grounds and motives which had forced them to leave the parliament at Westminster; in which they mentioned "all the indirect passages, and the acts of violence, by which they had been driven thence; and the obligations upon them in conscience, and law, to adhere to his majesty; and the misery which the other party had already brought upon the kingdom, and the desolation which must inevitably follow those conclusions; and with a greater unanimity and consent, than was ever known in so great a council, where there were so many persons of honour, and judges, and others learned in the law, among whom there was scarce one dissenting voice, they declared,

1. "That all such subjects of Scotland, as had consented to the declaration, entitled the declaration of the kingdom of Scotland concerning the present expedition into England, had thereby denounced war against the kingdom of England, and broke the act of pacification.

2. "That all his majesty's subjects of the kingdom of England and dominion of Wales are both by their allegiance, and the act of pacification, bound to resist and repress all those of Scotland as had, or should enter upon any part of his majesty's realm and dominions, as traitors, and enemies to the state; and that whosoever should abet, aid, or assist the Scots in their invasion, should be deemed as traitors, and enemies to the state.

3. "That the lords and commons remaining at Westminster, that had given their votes, or consent, to the raising of forces under the command of the earl of Essex, or had been abetting, aiding, or assisting thereunto, had levied and raised war against the king, and were therein guilty of high treason.

4. "That those lords and commons remaining at Westminster, that had given their votes and consents for the making and using a new great seal, had thereby counterfeited the king's great seal, and therein committed high treason.

5. "That the lords and commons remaining at Westminster, who had given their consents to the present coming in of the Scots in a warlike manner, had therein committed high treason: and that in these three last crimes, they had broken the trust reposed in them by their country, and ought to be proceeded against as traitors to the king and kingdom."

Over and above these sharp and high conclusions, in a diameter contrary to all the proceedings of parliament, they entered upon a way of raising a present sum of one hundred thousand pounds for the putting his majesty's armies into an equipage to take the field early in the spring; so that the engagements seemed fuller of animosity on both sides than ever; and the king exceedingly strengthened by the lords and commons having more positively and concernedly wedded his cause, than they were before understood to have done; and in truth, in the civil counsels, nothing was left undone to give it all imaginable advancement.

It had been very happy for the king, if the winter had been spent only in those counsels which



might have provided money, and facilitated the making his army ready to take the field in the spring; when he was sure to have occasion enough to use it; and to be in great distress, if it should not be then in a condition to march: but the invasion, which the Scots made in the depth of winter, and the courage the enemy took from thence, deprived his majesty even of any rest in that season. Upon the Scots' unexpected march into England in January, in a most violent frost and snow, hoping to reach Newcastle before it could be fortified, and persuading their common soldiers, that it would be delivered to them as soon as required; thither the vigilant sir Thomas Glemham had been before sent to attend their coming; and the marquis of Newcastle with his army, upon the fame of their invasion, marched thither with a resolution to fight with them before they should be able to join with the English rebels; leaving in the mean time the command of York, and the forces for the guard of that county, to colonel John Bellasis, son to the lord Falconbridge, a person of great interest in the country, and of exemplary industry and courage. But by this means, and the remove of the marquis with his army so far north, the enemy grew to a great strength in those parts; and not only able to disquiet Yorkshire, but drawing a great body of horse and foot out of Derbyshire, Staffordshire, and Lincolnshire, sat down before his majesty's garrison of Newark upon Trent, with a full confidence to take it, and so to cut off all correspondence between his majesty and the marquis of Newcastle. And sir Thomas Fairfax from Hull, in the head of a strong party, had fallen upon a quarter not far from York, commanded by colonel John Bellasis at Selby, and had totally defeated it, taken the cannon, and many officers prisoners, and amongst those the colonel himself. This was the first action for which sir Thomas Fairfax was taken notice of; who in a short time grew the supreme general under the parliament. This defeat, which was great in itself, was made much greater by the terrible apprehensions the city of York had upon it; insomuch that the marquis of Newcastle, who till then had kept the Scots at a bay, found it necessary to draw his army, and with a part of it to make haste into York, to prevent any farther mischief there; by which means the Scots were at liberty to advance as they pleased; and Fairfax improved his reputation by a speedy and unlooked for march into Cheshire.

Upon the cessation in Ireland, the king made the marquis of Ormond his lieutenant of that kingdom; and appointed him to make use of the winter season (when the parliament ships could not attend that coast) to transport those regiments of foot as might be well spared during the cessation, and which could not be supported there, to Chester; from whence his majesty could easily draw them in the spring to Oxford; and were, in truth, the principal recruit, upon which he depended to enable him to take the field. The lord Byron then commanded Chester, and that county; and was appointed to take care for the reception and accommodation of those troops; which was a right good body of foot, and being excellent men, both officers and soldiers, carried great terror with them from the time of their landing; and quickly freed North Wales from the enemy; who at that time began to have great power there. It was towards the end of November

they landed, and being a people who had

been used to little ease in Ireland, the king having given the lord Byron leave to employ them in such services as might secure that country, the season of the year made little impression on them; they were always ready, and desirous for action; and in the space of a month reduced, by assault and storm, many places of notable importance, as Howarden-castle, Beeston-castle, Crew-house, and other places of great strength; and encountering the whole body of the rebels, at Middlewich in Cheshire, broke and defeated them with great slaughter; and drove all that survived, and were at liberty, into Nantwich; the single garrison they had then left in Cheshire: and into which the whole party was retired, and which had been fortified and garrisoned from the beginning of the troubles, as the only refuge for the disaffected of that county, and the counties adjacent. The pride of the late success, and the terror the soldiers believed their names carried with them, carried them at this most unseasonable time of the year thither; for it was about the first week in January when the lord Byron came with his army before the town, and summoned it. It cannot be denied the reducing of that place at that time would have been of unspeakable importance to the king's affairs, there being, between that and Carlisle, no one town of moment (Manchester only excepted) which declared against the king; and those two populous counties of Chester and Lancaster, if they had been united against the parliament, would have been a strong bulwark against the Scots.

These considerations, and an opinion that the town would yield as soon as summoned, brought the army first thither; and then a passionate fancy of honour, contempt of the enemy within, and of any other who could attempt their relief, engaged them to a farther attempt; and so they raised batteries, and undertook a formal siege against the town. The seventeenth day of January they made a general assault upon five several quarters of the town, somewhat before day-break, but were with equal courage opposed from within, and near three hundred men lost, and spoiled in the service; which should have prevailed with them to have quitted their design. But those repulses sharpen rather than abate the edge and appetite to danger; and the assailants, no less than the besieged, desiring an army would come for their relief, both with equal impatience longed for the same thing; the Irish (for under that name, for distinction sake, we call that body of foot, though there was not an Irishman amongst them) supposing themselves superior to any that would encounter them in the field, and the horse being such as might as reasonably undervalue those who were to oppose them.

In this confidence, supply came too soon to the town, and confusion to the king's forces: for sir Thomas Fairfax, upon his victory at Selby, brought out of Yorkshire a good body of horse to Manchester; and, out of that place, and the neighbour places, drew near three thousand foot, with which joining with sir William Bruerton, and some other scattered forces from Staffordshire and Derby, who had been routed at Middlewich, he advanced near Nantwich, before he was looked for; the Irish being so over-confident that he would not presume to attack them, that, though they had advertisement of his motion, they still believed that his utmost design was by alarms to force them to rise

from the town, and then to retire without fighting with them. This made them keep their posts too long; and when they found it necessary to draw off, a little river, which divided their forces, on a sudden thaw, so much swelled above its banks, that the lord Byron, with the greatest part of the horse, and the foot which lay on one side of the town, were severed from the rest, and compelled to march four or five miles before he could join with the other; before which time the other part, being charged by sir Thomas Fairfax on the one side, and from the town on the other, were broken; and all the chief officers forced to retire to a church called Acton church, where they were caught as in a trap, and, the horse, by reason of the deep ways with the sudden thaw, and narrow lanes, and great hedges, not being able to relieve them, were compelled to yield themselves prisoners to those whom they so much despised two hours before. There were taken, besides all the chief and considerable officers of foot, near fifteen hundred common soldiers, and all their cannon and carriages: the lord Byron with his horse, and the rest of the foot, retiring to Chester. There cannot be given a better, or it may be another reason for this defeat, besides the providence of God, which was the effect of the other, than the extreme contempt and disdain this body had of the enemy; and the presumption in their own strength, courage, and conduct; which made them not enough think, and rely upon Him who alone disposes of the event of battles: though it must be acknowledged, most of the officers were persons of signal virtue and sobriety; and, in their own natures, of great modesty and piety; so hard it is to suppress those motions, which success, valour, and even the conscience of the cause, is apt to produce in men not overmuch inclined to presumption. To give fresh life to those counties, according to a resolution formerly taken, prince Rupert was sent general into those parts; the lord Byron being his lieutenant general; his highness having a desire to command a body apart from the king's army, upon some private differences and dislikes, which grew up in most places to the disturbance of the public affairs.

There was another result of council at Oxford, in this winter season, which deserves to be mentioned; and the rather, because all the inducements thereunto were not generally understood, nor known to many; and therefore grew afterwards to be the more censured. When the Scots were visibly armed, and upon their march into England, which the king was the last man in believing; and when there was no way to stop or divert them, his majesty was the better inclined to hearken to some men of that nation, who had been long proposing a way to give them so much trouble at home, that they should not be at leisure to infest or trouble their neighbours; to which propositions less care had been given, out of too much confidence in persons, upon whose integrity or interest there had been too great a dependence. The earl of Mountrose, a young man of a great spirit, and of the most ancient nobility, had been one of the most principal and active covenanters in the beginning of the troubles; but soon after, upon his observation of the unwarrantable prosecution of it, he gave over that party, and his command in that army; and at the king's being in Scotland, after the pacification, had made full tender of his service to his majesty; and was so much

in the jealousy and detestation of the violent party, whereof the earl of Argyll was the head, that there was no cause or room left to doubt his sincerity to the king.

Upon the beginning of the parliament at Edinburgh, and the manifestation that duke Hamilton would give no opposition to the proceedings thereof, (as hath been mentioned before,) he privately withdrew out of Scotland, and came to the king few days before the siege was raised from Gloucester, and gave his majesty the first clear information, of the carriage and behaviour of duke Hamilton, and of the posture that kingdom would speedily be in, and of the resolutions that would be there taken; and made some smart propositions to the king for the remedy; which there was not then time to consult: but as soon as the king retired to Oxford, after the battle of Newbury, and had fuller intelligence, by the resort of others of that nobility who deserved to be trusted, how the affairs stood in Scotland; and heard that duke Hamilton, and his brother, the earl of Lanrick, were upon their way as far as York towards Oxford; his majesty was very willing to hearken to the earl of Mountrose, and the rest, what could be done to prevent that mischief that was like to ensue. But they all unanimously declared, "that they durst make no propositions for the advancement of the king's service, except they might be first assured, that no part of it should be communicated to duke Hamilton; nor he suffered to have any part or share in any action that should depend upon it; for that they were most assured that he had always betrayed his majesty; and that it had been absolutely in his power to have prevented this new combination, if he would resolutely have opposed it. But if they might be secure in that particular, they would make some attempt under his majesty's commission in their own country, as might possibly make some disturbance there." His majesty thought he had much less reason to be confident of the duke than formerly; for he had expressly failed of doing somewhat which he had promised to do; yet he thought he had not ground enough to withdraw all kind of trust from him, except he did, at the same time, secure him from being able to do him farther mischief; towards which kind of severity, he did not think he had evidence enough. Besides he had a very good opinion of the earl of Lanrick, as a man of much more plainness and sincerity than his brother; as in truth he was. That he might bring himself to a full resolution in this important affair, his majesty appointed the lord keeper, his two secretaries, the master of the rolls, and the chancellor of the exchequer, to examine the earl of Mountrose, the earl of Kinnoul, the lord Ogilby, and some others, upon oath, of all things they could accuse duke Hamilton, or his brother Lanrick of; and to take their examinations in writing; that so his majesty might discover, whether their errors proceeded from infidelity, and consider the better, what course to observe in his proceedings with them; and this was carried with as much secrecy, as an affair of that nature could be, wherein so many were trusted.

Upon their examination, there appeared too much cause to conclude, that the duke had not behaved himself with that loyalty as he ought to have done. The earl of Mountrose, whilst he had been of that party, had been privy to much of his correspondence and intelligence. But most of the

particulars related to the time when he commanded the fleet in the Frith, and when he had many conferences with his mother, (who was a woman most passionate in those contrivances,) and with others of that party; and when he did nothing to hurt or incommode the enemy; all which was expressly pardoned by the act of oblivion, which had been passed with all formality and solemnity by the king in the parliament of both kingdoms: and, so much as to question what was so forgot, might raise a greater fire, than that which they desired to quench; though the knowing so many particulars might be a good and proper caution. In the late transactions of Scotland, it was manifest that the duke had absolutely opposed all overtures of force, and for seizing those persons who could only be able to raise new troubles; which had been very easy to have done; and that he had betrayed the king, and all the lords, in consenting to the meeting of the parliament, called and summoned against the king's express pleasure and command, and without any pretence of law. And to this, the king's approbation and consent had been shewed to them; by the duke, under the king's own hand; which they durst not disobey, though they foresaw this mischief.

The case was this; the duke had given the king an account, after he had himself promised the king that the parliament should never be assembled, (which his majesty abhorred,) "that though some few hot and passionate men desired to put themselves in arms, to stop both elections of the members, and any meeting together in parliament; yet, that all sober men who could bear any considerable part in the action, were clearly of the opinion, to take as much pains as they could to cause good elections to be made, and then to appear themselves; and that they had hope to have such a major part, that they might more advantageously dissolve the meeting as soon as they came together, than prevent it; however, that then would be the fit time to protest against it, and immediately to put themselves into arms, for which they would be well provided at the same time;" and to this state he desired the king's positive direction. And his majesty, in answer to it, had said, "since it was the opinion of all his friends, he would not command them to do that which was against their judgment; but would attend the success; and was content that they should all appear in the parliament at its first meeting:" and the duke had shewed the lords those words in the king's letter, with which they acquiesced, without knowing any thing of the ground of such his permission: whereas, in truth, there was no one person who was of that opinion, or had given that counsel, but had still detested the expedient when proposed.

Then the duke's carriage in the parliament, and his brother's, at their first coming together, appeared to be as is set down before, by the testimony of those who were present; and the earl of Lanrick's applying the signet to the proclamation for that rendezvous where the army was to be compounded, was not thought capable of any excuse; and so the clear state of the evidence, upon the depositions of the persons examined, was presented to the king for his own determination. His majesty had some thoughts of sending to the marquis of Newcastle to stop the duke and his brother at York, and not suffer them to come

nearer; but whilst that was in deliberation, they both came to Oxford, and meant the same night to have kissed their majesties' hands; but as soon as they arrived, they received a command from the king, "to keep their chambers;" and had a guard attended them. The king resolved to consult the whole affair then with the council-board, whereas hitherto the examinations had been taken by a committee, to the end that he might resolve what way to proceed; and to that end directed that a transcript might be prepared, of all the examinations at large; and that the witnesses might be ready to appear before the board, if it should be thought necessary; his majesty at that time inclining to have both the lords present, and the depositions read, and the witnesses confronted before them. But whilst this was preparing, the second morning after their coming to the town, the earl of Lanrick, either having corrupted or deluded the guard, found a means to escape; and by the assistance of one Cunningham (a gentleman of the privy-chamber, and of that nation) had horses ready; with which the earl and his friend fled, and went directly to London; where he was very well received. Hereupon the king informed the board of the whole affair; and because one of them was escaped, and the matters against the other having been transacted in Scotland, and so, in many respects, it was not a season to proceed judicially against him, it was thought enough for the present to prevent his doing farther mischief, by putting him under a secure restraint: and so he was sent in custody to the castle at Bristol, and from thence to Exeter, and so to the castle at Pendennis in Cornwall; where we shall leave him.

About this time the councils at Westminster lost a principal supporter, by the death of Jo. Pym; who died with great torment and agony of a disease unusual, and therefore the more spoken of, *morbus pediculosus*, as was reported; which rendered him an object very loathsome to those who had been most delighted with him. No man had more to answer for the miseries of the kingdom, or had his hand, or head, deeper in their contrivance. And yet, I believe, they grew much higher even in his life, than he designed. He was a man of a private quality and condition of life; his education in the office of the exchequer, where he had been a clerk; and his parts rather acquired by industry, than supplied by nature, or adorned by art. He had been well known in former parliaments; and was one of those few, who had sat in many; the long intermission of parliaments having worn out most of those who had been acquainted with the rules and orders observed in those conventions. And this gave him some reputation and reverence amongst those who were but now introduced.

He had been most taken notice of, for being concerned and passionate in the jealousies of religion, and much troubled with the countenance which had been given to those opinions that had been imputed to Arminius; and this gave him great authority and interest with those who were not pleased with the government of the church, or the growing power of the clergy: yet himself industriously took care to be believed, and he professed to be very entire to the doctrine and discipline of the church of England. In the short parliament before this, he spoke much, and appeared to be the most leading man; for besides the exact knowledge of the forms, and orders of

that council, which few men had, he had a very comely and grave way of expressing himself, with great volubility of words, natural and proper; and understood the temper and affections of the kingdom as well as any man; and had observed the errors and mistakes in government; and knew well how to make them appear greater than they were. After the unhappy dissolution of that parliament, he continued for the most part about London, in conversation and great repute amongst those lords who were most strangers to the court, and were believed most averse to it; in whom he improved all imaginable jealousies and discontents towards the state; and as soon as this parliament was resolved to be summoned, he was as diligent to procure such persons to be elected as he knew to be most inclined to the way he meant to take.

At the first opening of this parliament, he appeared passionate and prepared against the earl of Strafford; and though in private designing he was much governed by Mr. Hambden, and Mr. Saint-John, yet he seemed to all men to have the greatest influence upon the house of commons of any man; and, in truth, I think he was at that time, and for some months after, the most popular man, and the most able to do hurt, that hath lived in any time. Upon the first design of softening and obliging the powerful persons in both houses, when it was resolved to make the earl of Bedford lord high treasurer of England, the king likewise intended to make Mr. Pym chancellor of the exchequer; for which he received his majesty's promise, and made a return of a suitable profession of his service and devotion; and thereupon, the other being no secret, somewhat declined from that sharpness in the house, which was more popular than any man's, and made some overtures to provide for the glory and splendour of the crown; in which he had so ill success, that his interest and reputation there visibly abated; and he found that he was much better able to do hurt than good; which wrought very much upon him to melancholy, and complaint of the violence and discomposure of the people's affections and inclinations. In the end, whether upon the death of the earl of Bedford he despaired of that preferment, or whether he was guilty of any thing, which, upon his conversion to the court, he thought might be discovered to his damage, or for pure want of courage, he suffered himself to be carried by those who would not follow him, and so continued in the head of those who made the most desperate propositions.

In the prosecution of the earl of Strafford, his carriage and language was such that expressed much personal animosity; and he was accused of having practised some arts in it not worthy a good man; as an Irishman of very mean and low condition afterwards acknowledged, that being brought to him, as an evidence of one part of the charge against the lord lieutenant, in a particular of which a person of so vile quality would not be reasonably thought a competent informer; Mr. Pym gave him money to buy him a satin suit and cloak; in which equipage he appeared at the trial, and gave his evidence; which, if true, may make many other things, which were confidently reported afterwards of him, to be believed; as that he received a great sum of money from the French ambassador, [which hath been before mentioned,] to hinder the transportation of those regiments of Ireland into Flan-

ders, upon the disbanding that army there; which had been prepared by the earl of Strafford for the business of Scotland; in which if his majesty's directions and commands had not been diverted and contradicted by the houses, many do believe the rebellion in Ireland had not happened.

Certain it is, that his power of doing shrewd turns was extraordinary, and no less in doing good offices for particular persons; and that he did preserve many from censure, who were under the severe displeasure of the houses, and looked upon as eminent delinquents; and the quality of many of them made it believed, that he had sold that protection for valuable considerations. From the time of his being accused of high treason by the king, with the lord Kimbolton, and the other members, he never entertained thoughts of moderation, but always opposed all overtures of peace and accommodation, and when the earl of Essex was disposed, the last summer, by those lords to an inclination towards a treaty, as is before remembered, Mr. Pym's power and dexterity wholly changed him, and wrought him to that temper, which he afterwards swerved not from. He was wonderfully solicitous for the Scots coming in to their assistance, though his indisposition of body was so great, that it might well have made another impression upon his mind. During his sickness, he was a very sad spectacle; but none being admitted to him who had not concurred with him, it is not known what his last thoughts and considerations were. He died towards the end of December, before the Scots entered; and was buried with wonderful pomp and magnificence, in that place where the bones of our English kings and princes are committed to their rest.

The arrival of the prince elector at London was no less the discourse of all tongues, than the death of Mr. Pym. He had been in England before the troubles, and received and cherished by the king with great demonstration of grace and kindness, and supplied with a pension of twelve thousand pounds sterling yearly. When the king left London, he attended his majesty to York, and resided there with him till the differences grew so high, that his majesty found it necessary to resolve to raise an army for his defence. Then, on the sudden, without giving the king many days' notice of his resolution, that prince elector left the court; and taking the opportunity of an ordinary vessel, embarked himself for Holland, to the wonder of all men; who thought it an unseasonable declaration of his fear at least of the parliament, and his desire of being well esteemed by them, when it was evident they esteemed not the king as they should. And this was the more spoken of, when it was afterwards known that the parliament expressed a good sense of his having deserted the king, and imputed it to his conscience, "that he knew of some such designs of his majesty, as he could not comply with." At this time, after many loud discourses of his coming, (which were derived to Oxford, as somewhat that might have an influence upon his majesty's counsels, there being then several whispers of some high proceedings they intended against the king,) he arrived at London, and was received with ceremony; lodged in Whitehall, and order taken for the payment of that pension which had been formerly assigned to him by his majesty; and a particular direction by both houses, "that he should be admitted to sit

"in the assembly of divines;" where, after he had taken the covenant, he was contented to be often present: of all which the king took no other notice, than sometimes to express, "that he was sorry on his nephew's behalf, that he thought fit to declare such a compliance."

The defeat of colonel John Bellasis at Selby by sir Thomas Fairfax, and the destruction of all the Irish regiments under the lord Byron, together with the terror of the Scottish army, had so let loose all the king's enemies in the northern parts, which were lately at the king's devotion, that his friends were in great distress in all places before the season was ripe to take the field. The earl of Derby, who had kept Lancashire in reasonable subjection, and enclosed all the enemies of that county within the town of Manchester, was no longer able to continue that restraint, but forced to place himself at a greater distance from them; which was like, in a short time, to increase the number of the rebels there. Newark, a very necessary garrison in the county of Nottingham, [which] had not only subjected that little county, the town of Nottingham only excepted, which was upon the matter confined within its own walls, but kept a great part of the large county of Lincoln under contribution, was now reduced to so great straits by the forces of that country, under the command of Meldrum a Scotchman, with addition of others from Hull, that they were compelled to beg relief from the king at Oxford; whilst the marquis of Newcastle had enough to do to keep the Scots at a bay, and to put York in a condition to endure a siege, if he should be forced to continue within those walls.

In these straits, though it was yet the depth of winter, and to provide the better for the security of Shrewsbury, and Chester, and North Wales, all which were terrified with the defeat of the lord Byron, the king found it necessary to send prince Rupert, with a good body of chosen horse, and dragoons, and some foot, with direction, after he had visited Shrewsbury and Chester, and used all possible endeavours to make new levies, that he

should attempt the relief of Newark: which, being lost, would cut off all possible communication between Oxford and York. In Newark, the garrison consisted most of the gentry of the county, and the inhabitants, ill supplied with any thing requisite to a siege, but courage and excellent affections. The enemy intrenched themselves before the town, and proceeded by approach; conceiving they had time enough, and not apprehending it possible to be disturbed: and indeed it was not easy for the king to find a way for their relief. To send a body from Oxford was very hazardous, and the enemy so strong, as they would quickly follow; so that there was no hope but from Shrewsbury and Chester, where prince Rupert had given so much life to those parts, and drawn so handsome a body together, that the enemy found little advantage by their late victory, in the enlargement of their quarters. So that his highness resolved to try what he could do for Newark, and undertook it before he was ready for it, and thereby performed it. For the enemy, who had always excellent intelligence, was so confident that he had not a strength sufficient to attempt that work, that he was within six miles of them, before they believed he thought of them; and charging and routing some of their horse, pursued them with that expedition, that he besieged them in their own intrenchment, with his horse, before his foot came within four miles. And in that consternation, they concluding that he must have a vast power and strength, to bring them into those straits, he, with a number inferior to the enemy, and utterly unaccommodated for an action of time, brought them to accept of leave to depart, that is to disband, without their arms, or any carriage or baggage. And so he relieved Newark, and took above four thousand arms, eleven pieces of brass cannon, two mortar pieces, and above fifty barrels of powder; which was a victory as prodigious, as any happened throughout the war: and with this prosperous action, which was performed on the 22d of March, we shall conclude the transactions of this year.

END OF THE SEVENTH BOOK.

## THE HISTORY OF THE REBELLION, &c.

### BOOK VIII.

**A**S the winter had been very unprosperous and unsuccessful to the king, in the diminution and loss of those forces, upon which he chiefly depended to sustain the power of the enemy the year ensuing; so the spring entered with no better

presage. When both armies had entered into their winter quarters, to refresh themselves after so much fatigue, the great preparation that was made at London, and the fame of sending sir William Waller into the west, put the king upon the reso-

lution of having such a body in his way, as might give him interruption, without prince Maurice's being disturbed in his siege of Plymouth; which was not thought to be able to make long resistance. To this purpose the lord Hopton was appointed to command an army apart, to be levied out of the garrison of Bristol, and those western counties adjacent newly reduced; and where his reputation and interest was very great; by which he had in a short time raised a pretty body of foot and horse; the which receiving an addition of two very good regiments (though not many in number) out of Munster, under the command of sir Charles Vavasour, and sir John Pawlet, and a good troop of horse under the command of captain Bridges, all which had been transported, according to former orders, out of Ireland to Bristol, since the cessation, the lord Hopton advanced to Salisbury, and shortly after to Winchester; whither sir John Berkley brought him two regiments more of foot, raised by him in Devonshire; so that he had in all, at least, three thousand foot, and about fifteen hundred horse; which, in so good a post as Winchester was, would in a short time have grown to a pretty army; and was at present strong enough to have stopped, or attended Waller in his western expedition; nor did he expect to have found such an obstruction in his way. And therefore, when he was upon his march, and was informed of the lord Hopton's being at Winchester with such a strength, he retired to Farnham; and quartered there, till he gave his masters an account that he wanted other supplies.

It was a general misfortune, and miscomputation of that time, that the party, in all places, which wished well to the king, (which consisted of most of the gentry in most counties; and for the present were awed and kept under by the militia, and other committees of parliament,) had so good an opinion of their own reputation and interest, that they believed they were able, upon the assistance of few troops, to suppress their neighbours who were of the other party, and who, upon the advantage of the power they were possessed of, exercised their authority over them with great rigour and insolence. And so the lord Hopton was no sooner possessed of Winchester, where sir William Ogle had likewise seized upon the castle for the king, and put it into a tenable condition, than the gentlemen of Sussex, and of the adjacent parts of Hampshire, sent privately to him, "that if he would advance into their country, they would undertake, in a short time, to make great levies of men for the recruit of his army; and likewise to possess themselves of such places as they would be well able to defend; and thereby keep that part of the country in the king's obedience."

Sir Edward Ford, a gentleman of a good family, and fair fortune in Sussex, had then a regiment of horse in the lord Hopton's troops, and the king had made him high sheriff of Sussex that year, to the end that, if there were occasion, he might the better make impression upon that county. He had with him, in his regiment, many of the gentlemen of that country of good quality: and they all besought the lord Hopton, "that he would, since Waller was not like to advance, at least send some troops into those parts, to give a little countenance to the levies they should be well able to make;" assuring him, "that they would, in the first place, seize upon Arundel castle;

"which, standing upon the sea, would yield great advantage to the king's service, and keep that rich corner of the country at his majesty's devotion." These, and many other specious undertakings, disposed the lord Hopton, who had an extraordinary appetite to engage Waller in a battle, upon old accounts, to wish himself at liberty to comply with those gentlemen's desires: of all which, he gave such an account to the king, as made it appear, that he liked the design, and thought it practicable, if he had an addition of a regiment or two of foot, under good officers; for that quarter of Sussex, which he meant to visit, was a fast and enclosed country, and Arundel castle had a garrison in it, though not numerous, or well provided, as being without apprehension of an enemy.

It was about Christmas, and the king had no farther design for the winter, than to keep Waller from visiting and disturbing the west, and to recruit his army to such a degree as to be able to take the field early; which he knew the rebels resolved to do: yet the good post the lord Hopton was already possessed of at Winchester, and these positive undertakings from Sussex, wrought upon many to think, that this opportunity should not be lost. The king had great assurance of the general good affections of the county of Kent; insomuch as the people had with difficulty been restrained from making some attempt, upon the confidence of their own strength; and if there could be now such a foundation laid, that there might be a conjunction between that and Sussex, it might produce an association little inferior to that of the southern counties under the earl of Manchester; and might, by the spring, be an argument of that distraction to the parliament, that they might not well know to what part to dispose their armies; and the king might apply his own to that part and purpose, as should seem most reasonable to him.

These and other reasons prevailed, and the king gave the lord Hopton order to prosecute his design upon Sussex, in such manner as he thought fit; provided, that he was well assured, that Waller should not make advantage, upon that enterprise, to find the way open to him to march into the west. And that he might be the better able to prosecute the one, and to provide for the other, sir Jacob Astley was likewise sent to him from Reading, with a thousand commanded men of that garrison, Wallingford, and Oxford; which supply no sooner arrived at Winchester, but the lord Hopton resolved to visit Waller's quarters, if it were possible to engage him; however that he might judge by the posture he was in, whether he were like to pursue his purpose for the west. Waller was then quartered at Farnham, and the villages adjacent, from whence he drew out his men, and faced the enemy, as if he intended to fight, but, after some light skirmishes for a day or two, in which he always received loss, he retired himself into the castle of Farnham, a place of great strength; and drew his army into the town; and, within three or four days, went himself to London, more effectually to solicit recruits, than his letters had been able to do.

When the lord Hopton saw that he could attempt no farther upon the troops, and was fully assured that sir William Waller was himself gone to London, he concluded, that it was a good time to comply with the importunity of the gentlemen of

Sussex; and marched thither, with such a body of horse and foot, as he thought competent for the service. And the exceeding hard frost made his march more easy through those deep dirty ways, than better weather would have done; and he came to Arundel before there was any imagination that he had that place in his prospect. The place in its situation was very strong; and though the fortifications were not regular, but of the old fashion, yet the walls were very strong, and the graff broad, and deep; and though the garrison was not numerous enough to have defended all the large circuit against a powerful army, yet it was strong enough, in all respects, to have defied all assaults; and might, without putting themselves to any trouble, have been very secure against the attempts of those without. But the provisions of victual, or ammunition, was not sufficient to have endured any long restraint; and the officer who commanded had not been accustomed to the prospect of an enemy. And so upon an easy and short summons, that threatened his obstinacy with a very rigorous chastisement, if he should defer the giving it up; either from the effect of his own fear, and want of courage, or from the good inclinations of some of the soldiers, the castle was surrendered the third day; and appeared to be a place more worth the keeping, and capable, in a short time, to be made secure against a good army.

The lord Hopton, after he had stayed there five or six days, and caused provisions of all kinds to be brought in, committed the command and government thereof to sir Edward Ford, high sheriff of the county, with a garrison of above two hundred men; besides many good officers; who desired, or were very willing, to stay; as a place very favourable for the making levies of men, which they all intended. And, it may be, the more remained there, out of the weariness and fatigue of their late marches, and that they might spend the remainder of the winter with better accommodation.

The news of sir William Waller's return to Farnham with strong recruits of horse and foot, made it necessary to the lord Hopton to leave Arundel castle before he had put it into the good posture he intended. And, without well considering the mixture of the men he left there, whereof many were of insolent and pragmatistical natures, not like to conform themselves to those strict rules as the condition of the place required, or to use that industry, as the exigence, they were like to be in, made necessary, the principal thing he recommended and enjoined to them was, "in the first place, setting all other things aside, to draw in store of provisions of all kinds, both for the numbers they were already, and for such as would probably in a short time be added to them;" all which, from the great plenty that country then abounded in, was very easy to have been done. And if it had been done, that place would have remained long such a thorn in the side of the parliament, as would have rendered it very uneasy to them, at least have interrupted the current of their prosperity.

Waller's journey to London answered his expectation; and his presence had an extraordinary operation, to procure any thing desired. He reported the lord Hopton's forces to be much greater than they were, that his own might be made proportionable to encounter them. And the quick progress he had made in Sussex, and his taking

Arundel castle, made them thought to be greater than he reported them to be. His so easily possessing himself of a place of that strength, which they supposed to have been impregnable, and in a county where the king had before no footing, awakened all their jealousies and apprehensions of the affections of Kent, and all other places; and looked like a land-flood, that might roll they knew not how far; so that there needed no importunate solicitation to provide a remedy against this growing evil. The ordinary method they had used for recruiting their armies by levies of volunteers, and persuading the apprentices of the city to become soldiers, upon the privilege they gave them for their freedom, for the time they fought for them, as if they had remained in their master's service, was now too dull and lazy an expedient to resist this torrent; they therefore resort to their inexhaustible magazine of men, their devoted city, to whose affections the person of sir William Waller was most acceptable; and persuaded them immediately to cause two of their strongest regiments of auxiliaries, to march out of the line to Farnham; which they consented to. And then they appointed the earl of Essex to give his orders to sir William Balfour, with one thousand of the horse of his army, likewise to observe Waller's commands; who, with this great addition of forces, made haste to his other troops at Farnham; where he scarce rested, but after he had informed himself how the lord Hopton's army lay quartered, which was at too great a distance from each other, he marched, according to his custom in those occasions, (as beating up of quarters was his master-piece,) all the night; and, by the break of day, encompassed a great village called Alton, where a troop or two of horse, and a regiment of foot of the king's lay in too much security. However, the horse took the alarm quickly, and for the most part made their escape to Winchester, the head quarter; whither the lord Hopton was returned but the night before from Arundel. Colonel Boles, who commanded his own regiment of foot there, consisting of about five hundred men, which had been drawn out of the garrison of Wallingford, when he found himself encompassed by the enemy's army of horse and foot, saw he could not defend himself, or make other resistance than by retiring with his men into the church, which he hoped to maintain for so many hours, that relief might be sent to him; but he had not time to barricado the doors; so that the enemy entered almost as soon; and after a short resistance, in which many were killed, the soldiers, overpowered, threw down their arms, and asked quarter; which was likewise offered to the colonel; who refused it, and valiantly defended himself, till, with the death of two or three of the assailants, he was killed in the place; his enemies giving him a testimony of great courage and resolution.

Waller knew well the impression the loss of this very good regiment would make upon the lord Hopton's forces, and that the report which the troops of horse which had escaped would make, would add nothing of courage to their fellows; so that there was no probability that they would make haste to advance; and therefore, with wonderful celerity, the hard frost continuing, he marched with all his army to Arundel castle, where he found that garrison as unprovided as he could wish. And, instead of increasing the magazine of victual



by supplies from the country, they had spent much of that store which the lord Hopton had provided. The governor was a man of honesty and courage, but unacquainted with that affair, having no other experience in war, than what he had learned since these troubles. The officers were many without command, amongst whom one colonel Bamford, an Irishman, though he called himself Bamfield, was one; who, being a man of wit and parts, applied all his faculties to improve the faction, to which they were all naturally inclined, with a hope to make himself governor. In this distraction Waller found them, and by some of the soldiers running out to him, he found means again to send in to them; and so increased their faction and animosity against one another, that, after he had kept them waking, with continual alarms, three or four days, near half the men being sick, and unable to do duty, rather than they would trust each other longer, they gave the place and themselves up as prisoners of war upon quarter; the place being able to have defended itself against all that power, for a much longer time. Here the learned and eminent Mr. Chillingworth was taken prisoner; who, out of kindness and respect to the lord Hopton, had accompanied him in that march; and, being indisposed by the terrible coldness of the season, chose to repose himself in that garrison, till the weather should mend. As soon as his person was known, which would have drawn reverence from any noble enemy, the clergy that attended that army prosecuted him with all the inhumanity imaginable; so that, by their barbarous usage, he died within few days; to the grief of all that knew him, and of many who knew him not but by his book, and the reputation he had with learned men.

The lord Hopton sustained the loss of this regiment with extraordinary trouble of mind, and as a wound that would bleed inward; and therefore was the more inflamed with desire of a battle with Waller, to make even all accounts; and made what haste he could, upon the first advertisement, to have redeemed that misfortune; and hoped to have come time enough to have relieved Arundel castle; which he never suspected would so tamely have given themselves up: but that hope quickly vanished, upon the undoubted intelligence of that surrender, and the news that Waller was returned with a full resolution to prosecute his design upon the west: to which, besides the encouragement of his two late victories, with which he was marvellously elated, he was in some degree necessitated, out of apprehension that the horse, which belonged to the earl of Essex's army, might be speedily recalled; and the time would be quickly expired, that he had promised the auxiliary regiments of London that he would dismiss them.

Upon the news the king received of the great supply the parliament had so suddenly sent to Waller, both from the earl of Essex's army, and from the city, he thought it necessary to send such an addition of foot as he could draw out of Oxford, and the neighbour garrisons. And the earl of Brentford, general of the army, who had a fast friendship with the lord Hopton, expressing a good inclination to make him a visit, rather than to sit still in his winter quarters, his majesty was very glad, and cherished that disposition, and was desirous that so great an officer might be

present in an army, upon which so much of his hopes depended; and which did not abound with officers of great experience. And so the general, with such volunteers as were ready to accompany him, went to Winchester; where he found the lord Hopton in agony for the loss of the regiment of foot at Alton, and confounded with the unexpected assurance of the giving up of Arundel castle. He was exceedingly revived with the presence of the general, and desired to receive his orders, and that he would take upon him the absolute command of the troops; which he as positively refused to do; only offered to keep him company in all expeditions, and to give him the best assistance he was able; which the lord Hopton was compelled to be contented with: nor could there be a greater union and consent between two friends; the general being ready to give his advice upon all particulars; and the other doing nothing without communication with him, and then conforming to his opinion, and giving orders accordingly.

As soon as they were informed that Waller had drawn all his troops together about Farnham, and meant to march towards them, they cheerfully embraced the occasion, and went to meet him; and about Alresford, near the midway between Winchester and Farnham, they came to know how near they were to each other; and, being in view, chose the ground upon which they meant the battle should be fought; of which Waller, being first there, got the advantage for the drawing up his horse. The king's army consisted of about five thousand foot, and three thousand horse; and Waller, with sir William Balfour, exceeded in horse; but they were upon the matter equal in foot; with this only advantage, that both his horse and foot were, as they were always, much better armed; no man wanting any weapon, offensive or defensive, that was proper for him; and sir Arthur Haslerig's regiment of cuirassiers, called the *lobsters*, was so formidable, that the king's naked and unarmed troops, among which few were better armed than with swords, could not bear their impression.

The king's horse never behaved themselves so ill as that day. For the main body of them, after they had sustained one fierce charge, wheeled about to an unreasonable distance, and left their principal officers to shift for themselves. The foot behaved themselves very gallantly, and had not only the better of the other foot, but bore two or three charges from the horse with notable courage, and without being broken: whilst those horse, which stood upon the field, and should have assisted them, could be persuaded but to stand. When the evening drew near, for the approach whereof neither party was sorry, the lord Hopton thought it necessary to leave the field; and drawing off his men, and carrying with him many of the wounded, he retired with all his cannon and ammunition, whereof he lost none, that night to Reading: the enemy being so scattered, that they had no mind to pursue; only Waller himself made haste to Winchester, where he thought, upon this success, to have been immediately admitted into that castle; which was his own inheritance. But he found that too well defended; and so returned with taking revenge upon the city, by plundering it with all the insolence and rapine imaginable.



There could not then be any other estimate made of the loss Waller sustained, than by the not pursuing the visible advantage he had, and by the utter refusal of the auxiliary regiments of London and Kent to march farther; and within three or four days they left him, and returned to their habitations, with great lamentation of their friends who were missing. On the king's side, besides common men, and many good officers, there fell that day the lord John Stewart, brother to the duke of Richmond, and general of the horse of that army; and sir John Smith, brother to the lord Carrington, and commissary general of the horse. They were both brought off the field by the few horse that stayed with them, and did their duty; and carried to Reading; and the next day to Abingdon, that they might be nearer to the assistance of the best remedies by physicians and surgeons. But they lived only to the second dressing of their wounds, which were very many upon either of them.

The former was a young man of extraordinary hope, little more than one and twenty years of age; who, being of a more choleric and rough nature than the other branches of that illustrious and princely family, was not delighted with the softnesses of the court, but had dedicated himself to the profession of arms, when he did not think the scene should have been in his own country. His courage was so signal that day, that too much could not be expected from it, if he had outlived it; and he was so generally beloved, that he could not but be very generally lamented. The other, sir John Smith, had been trained up from his youth in the war of Flanders; being of an ancient catholic family; and had long the reputation of one of the best officers of horse. As soon as the first troubles appeared in Scotland, he betook himself to the service of his own prince; and, from the beginning of the war to his own end, performed many signal actions of courage. And the death of these two eminent officers made the names of many who perished that day the less inquired into and mentioned.

This battle was fought the 29th day of March; which was a very doleful entering into the beginning of the year 1644, and broke all the measures, and altered the whole scheme, of the king's counsels: for whereas before, he hoped to have entered the field early, and to have acted an offensive part; he now discerned he was wholly to be upon the defensive part; and that was like to be a very hard part too. For he found, within very few days after, that he was not only deprived of the men he had lost at Alresford, but that he was not to expect any recruit of his army by a conjunction with prince Rupert; who, he believed, would have returned in time, after his great success at Newark, with a strong body both of horse and foot, from Shropshire, Cheshire, and North Wales: all which hopes were soon blasted; for the prince had scarce put the garrison of Newark in order, and provided it to endure another attack, which they might have reasonably expected upon his highness's departure, (though indeed the shame of the defeat, and the rage among the officers and soldiers, when they saw by what a handful of men they had been terrified and subdued, broke and dissolved that whole body within few days,) when he received great instance from the earl of Derby to come into Lancashire to relieve him, who was

already besieged in his own strong house at Latham by a strong body, with whom he was not able to contend. And to dispose the prince the more willingly to undertake his relief, the earl made ample promises, "that within so many days" after the siege should be raised, with any defeat "to the enemy, he would advance his highness's" levies with two thousand men, and supply him "with a considerable sum of money." And the earl had likewise, by an express, made the same instance to the king at Oxford; from whence his majesty sent his permission and approbation to the prince, before his departure from Newark; hoping still that his highness would be able to despatch that service in Lancashire, and with the more notable recruits of men in those parts, be able to return to Oxford by the time that it would be necessary for his majesty to take the field. But within a short time he was disappointed of that expectation; for before the prince could finish his expedition into Lancashire, (which he did with wonderful gallantry; raised the siege at Latham with a great execution upon the enemy; and took two or three of their garrisons obstinately defended, and therefore with the greater slaughter,) the marquis of Newcastle was compelled to retire, with his whole army, within the walls of York. He had been well able to have defended himself against the numerous army of the Scots, and would have been glad to have been engaged with them; but he found he had a worse enemy to deal with.

From the time that the ruling party of the parliament discerned that their general, the earl of Essex, would never serve their turn, or comply with all their desires, they resolved to have another army apart, that should be more at their devotion; and in the forming whereof, they would be sure to choose such officers, as would probably not only observe their orders, but have the same inclinations with them. Their pretence was, "that there" were so many disaffected persons of the nobility, "and principal gentry, in the counties of Norfolk" and Suffolk, that, if great care was not taken to "prevent it, there might a body start up there for" the king; which, upon the success of the marquis of Newcastle, whose arms then reached "into Lincolnshire, might grow very formidable." For prevention whereof, they had formed an association between Essex, (a county, upon the influence of the earl of Warwick, and the power of his clergy, they most confided in,) Cambridgeshire, Suffolk, Norfolk, Bedford, and Huntingdon; in all which they had many persons of whose entire affections they were well assured; and, in most of them, there were few considerable persons who wished them ill. Of this association they had made the earl of Manchester general, to be subject only to their own commands, and independent upon the earl of Essex. And under him, they chose Oliver Cromwell to command their horse; and many other officers, who never intended to be subject again to the king, and avowed other principles in conscience and religion, than had been before publicly declared.

And to this general they gave order "to reside" within that association; and to make levies of "men, sufficient to keep those counties in obedience;" for at first they pretended no more. But, in the secret treaty made by sir Harry Vane with the Scots, they were bound, as soon as the Scots should enter into Yorkshire with their army,

that a body of English horse, foot, and cannon, should be ready to assist them, commanded by their own officers, as a body apart: the Scots not then trusting their own great numbers, as equal to fight with the English. And from that time they were much more careful to raise, and liberally supply, and provide for that army under the earl of Manchester, than for the other under the earl of Essex. And now, according to their agreement, upon the Scots' first entrance into Yorkshire, the earl of Manchester had likewise order to march with his whole body thither; having, for the most part, a committee of the parliament, whereof sir Harry Vane was one, with him; as there was another committee of the Scottish parliament always in that army; there being also now a committee of both kingdoms residing at London, for the carrying on the war.

The marquis of Newcastle, being thus pressed on both sides, was necessitated to draw all his army of foot and cannon into York, with some troops of horse; and sent the body of his horse, under the command of general Goring, to remain in those places he should find most convenient, and from whence he might best infest the enemy; and then sent an express to the king, to inform him of the condition he was in; and to let him know, "that he doubted not to defend himself in that post for the term of six weeks, or two months; in which time he hoped his majesty would find some way to relieve him." And upon receipt of this letter, the king sent orders to prince Rupert, that "as soon as he had relieved the lord Derby, and recruited, and refreshed his army, he should march, with what expedition he could, to relieve York; where being joined by the marquis of Newcastle's army, there was hope they might fight the enemy: and his majesty would put himself into as good a posture as he could to take the field, without expecting the prince."

All these ill accidents falling out successively in the winter, the king's condition appeared very sad; and which was in more disorder by the queen's being now with child, which wrought upon her majesty's mind very much; and disposed her to so many fears and apprehensions of her safety, that she was very uneasy to herself. She heard every day "of the great forces raised, and in readiness, by the parliament, much greater than they yet ever had;" which was very true; and "that they resolved, as soon as the season was ripe, which was at hand, to march all to Oxford." She could not endure to think of being besieged there; and, in conclusion, resolved not to stay there, but to go into the west; from whence, in any distress, she might be able to embark for France. Though there seemed reasons enough to dissuade her from that inclination, and his majesty heartily wished that she could be diverted, yet the perplexity of her mind was so great, and her fears so vehement, both improved by her indisposition of health, that all civility and reason obliged everybody to submit. So, about the beginning of April, she begun her journey from Oxford to the west; and, by moderate journeys, came well to Exeter; where she intended to stay till she was disburdened; for she was within little more than one month of her time; and, being in a place out of the reach of any alarm, she recovered her spirits to a reasonable convalescence.

It was now about the middle of April, when it concerned the king with all possible sagacity, to foresee what probably the parliament meant to attempt with those vast numbers of men which they every day levied; and thereupon to conclude, what it would be possible for his majesty to do, in those exigencies to which he was like to be reduced. The intelligence, that Waller was still designed for the western expedition, made the king appoint his whole army to be drawn together to a rendezvous at Marlborough; where himself was present, and, to his great satisfaction, found the body to consist, after all the losses and misadventures, of no less than six thousand foot, and above four thousand horse. There that body remained for some weeks, to watch and intend Waller's motion, and to fight with him as soon as was possible. Many things were there consulted for the future; and the quitting Reading, and some other garrisons, proposed, for the increasing the field forces: yet nothing was positively resolved, but to expect clearer evidence what the parliament armies would dispose themselves to do.

So the king returned to Oxford, where, upon the desire of the members of parliament who had been called thither, and done all the service they could for the king, they were for the present dismissed, that they might, in their several counties, satisfy the people of the king's importunate desire of peace, but how insolently it had been rejected by the parliament; and thereupon induce them to contribute all they could to his majesty's assistance. They were to meet there again in the month of October following.

Then, that his majesty might draw most of the soldiers of that garrison with him out of Oxford, when he should take the field, that city was persuaded to complete the regiment they had begun to form, under the command of a colonel whom the king had recommended to them; which they did raise to the number of a thousand men. There were likewise two other regiments raised of gentlemen and their servants, and of the scholars of the several colleges and halls of the university; all which regiments did duty there punctually, from the time that the king went into the field, till he returned again to Oxford; and all the lords declared, "that, upon any emergent occasion, they would mount their servants upon their horses, to make a good troop for a sudden service;" which they made good; and thereby, that summer, performed two or three very considerable and important actions.

By this time there was reason to believe, by all the intelligence that could be procured, and by the change of his quarters, that Waller had laid aside his western march; at least that it was suspended; and that, on the contrary, all endeavours were used to recruit both his and the earl of Essex's army, with all possible expedition; and that neither of them should move upon any action till they should be both complete in greater numbers, than either of them had yet marched with. Hereupon, the king's army removed from Marlborough to Newbury; where they remained near a month, that they might be in a readiness to attend the motion of the enemy, and to assist the garrisons of Reading, or Wallingford; or to draw out either, as there should be occasion.

There had been several deliberations in the council of war, and always very different opinions,

what should be done with the garrisons when the king should take the field; and the king himself was irresolute upon those debates, what to do. He communicated the several reasons to prince Rupert by letters, requiring his advice; who, after he had returned answers, and received replies, made a hasty journey to Oxford from Chester, to wait upon his majesty. And it was then positively resolved, "that the garrisons of Oxford, Wallingford, Abingdon, Reading, and Banbury, should be reinforced and strengthened with all the foot; that a good body of horse should remain about Oxford, and the rest should be sent into the west to prince Maurice." If this counsel had been pursued steadily and resolutely, it might probably have been attended with good success. Both armies of the enemy would have been puzzled what to have done, and either of them would have been unwilling to have engaged in a siege against any place so well provided and resolved; and it would have been equally uncounsellable to have marched to any distance, and have left such an enemy at their backs, that could so easily and quickly have united, and incommoded any march they could have made.

But as it was even impossible to have administered such advice to the king, in the strait he was in, which being pursued might not have proved inconvenient, so it was the unhappy temper of those who were called to those councils, that resolutions, taken upon full debate, were seldom prosecuted with equal resolution and steadiness; but changed upon new, shorter debates, and upon objections which had been answered before: some men being in their natures irresolute and inconstant, and full of objections, even after all was determined according to their own proposals; others being positive, and not to be altered from what they had once declared, how unreasonably soever, or what alterations soever there were in the affairs. And the king himself frequently considered more the person who spoke, as he was in his grace or his prejudice, than the counsel itself that was given; and always suspected, at least trusted less to his own judgment than he ought to have done; which rarely deceived him so much as that of other men.

The persons with whom he only consulted in his martial affairs, and how to carry on the war, were (besides prince Rupert, who was at this time absent) the general, who was made earl of Brentford; the lord Wilmot, who was general of the horse; the lord Hopton, who usually commanded an army apart, and was not often with the king's army, but now present; sir Jacob Astley, who was major-general of the army; the lord Digby, who was secretary of state; and sir John Colepepper, master of the rolls; for none of the privy council, those two only excepted, were called to those consultations; though some of them were still advised with, for the better execution, or prosecution, of what was then and there resolved.

The general, though he had been, without doubt, a very good officer, and had great experience, and was still a man of unquestionable courage and integrity; yet he was now much decayed in his parts, and, with the long continued custom of immoderate drinking, dozed in his understanding, which had been never quick and vigorous; he having been always illiterate to the greatest degree that can be imagined. He was now become very

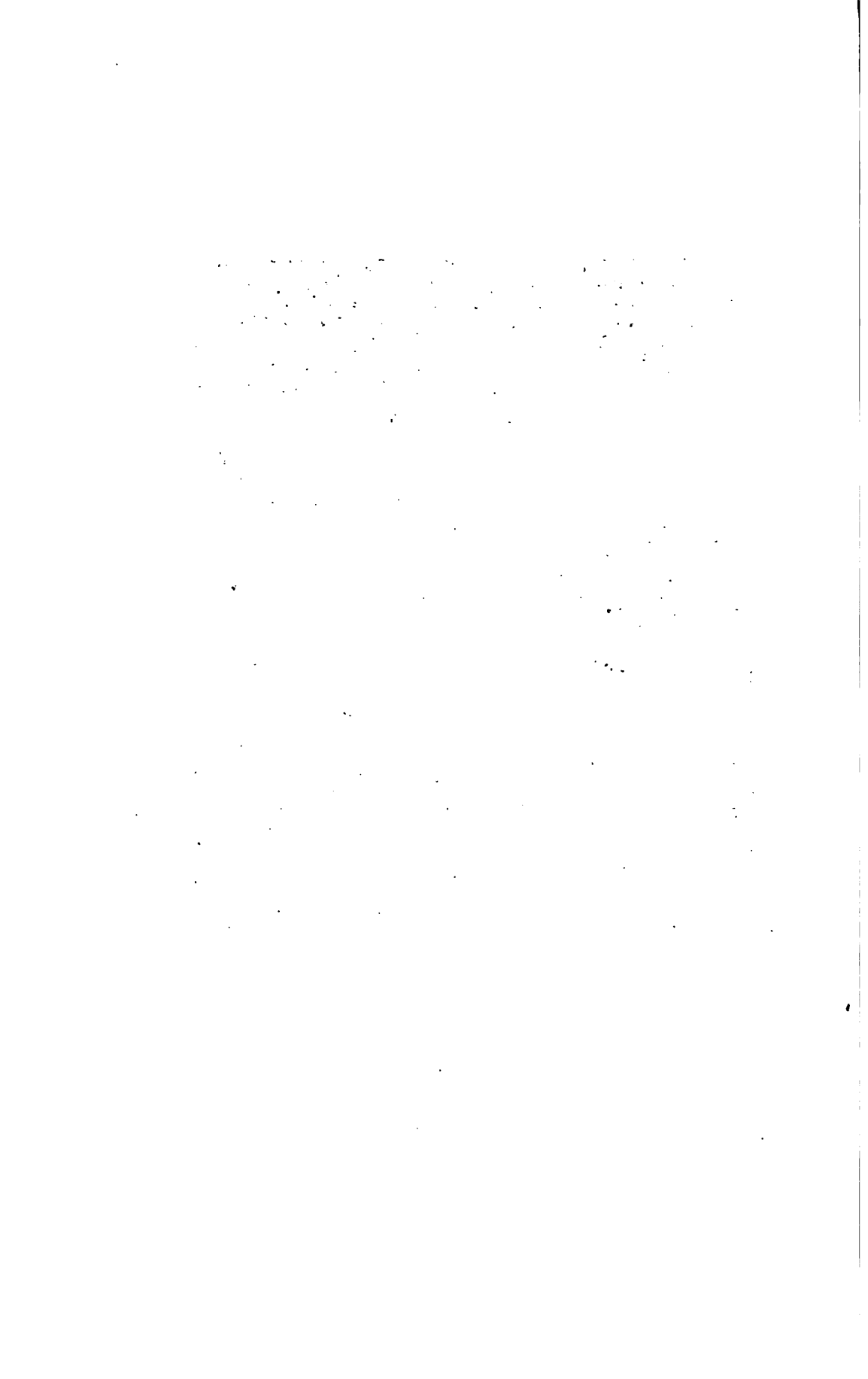
deaf, yet often pretended not to have heard what he did not then contradict, and thought fit afterwards to disclaim. He was a man of few words, and of great compliance, and usually delivered that as his opinion, which he foresaw would be grateful to the king.

Wilmot was a man of a haughty and ambitious nature, of a pleasant wit, and an ill understanding, as never considering above one thing at once; but he considered that one thing so impatiently, that he would not admit any thing else to be worth any consideration. He had, from the beginning of the war, been very averse to any advice of the privy-council, and thought fit that the king's affairs (which depended upon the success of the war) should entirely be governed and conducted by the soldiers and men of war, and that no other counsellors should have any credit with his majesty. Whilst prince Rupert was present, his exceeding great prejudice, or rather personal animosity against him, made any thing that Wilmot said or proposed, enough slighted and contradicted: and the king himself, upon some former account and observation, was far from any indulgence to his person, or esteem of his parts. But now, by the prince's absence, and his being the second man in the army, and the contempt he had of the old general, who was there the only officer above him, he grew marvellously elated, and looked upon himself as one whose advice ought to be followed, and submitted to in all things. He had, by his excessive good fellowship, (in every part whereof he excelled, and was grateful to all the company,) made himself so popular with all the officers of the army, especially of the horse, that he had, in truth, a very great interest; which he desired might appear to the king, that he might have the more interest in him. He was positive in all his advices in council, and bore contradiction very impatiently; and because he was most contradicted by the two privy-counsellors, the secretary, and the master of the rolls, who, he saw, had the greatest influence upon the king, he used all the artifices he could to render them unacceptable and suspected to the officers of the army, by telling them what they had said in council; which he thought would render them the more ungrateful; and, in the times of jollity, persuaded the old general to believe that they invaded his prerogative, and meddled more in the business of the war, than they ought to do; and thereby made him the less disposed to concur with them in advice, how rational and seasonable soever it was; which often put the king to the trouble of converting him.

The lord Hopton was a man superior to any temptation, and abhorred enough the license, and the levities, with which he saw too many corrupted. He had a good understanding, a clear courage, an industry not to be tired, and a generosity that was not to be exhausted; a virtue that none of the rest had: but, in the debates concerning the war, was longer in resolving, and more apt to change his mind after he had resolved, than is agreeable to the office of a commander in chief; which rendered him rather fit for the second, than for the supreme command in an army.

Sir Jacob Astley was an honest, brave, plain man, and as fit for the office he exercised, of major general of the foot, as Christendom yielded; and was so generally esteemed; very discerning and prompt in giving orders, as the occasions required,





*Engraved by H. Robinson*

RALPH, LORD HOPTON.

O.B. 1652

FROM THE ORIGINAL OF VANDYCKE IN THE COLLECTION OF

THE RIGHT HON<sup>ble</sup> THE EARL OF EGBERTON



and most cheerful, and present in any action. In council he used few, but very pertinent words; and was not at all pleased with the long speeches usually made there; and which rather confounded, than informed his understanding: so that he rather collected the ends of the debates, and what he was himself to do, than enlarged them by his own discourses; though he forbore not to deliver his own mind.

The two privy-counsellors, though they were of the most different natures and constitutions that can be imagined, always agreed in their opinions; and being, in their parts, much superior to the other, usually prevailed upon the king's judgment to like what they approved: yet one of them, who had in those cases the ascendant over the other, had that excess of fancy, that he too often, upon his own recollecting and revolving the grounds of the resolutions which had been taken, or upon the suggestions of other men, changed his own mind; and thereupon caused orders to be altered, which produced, or were thought to produce, many inconveniences.

This unsteadiness in counsels, and in matters resolved upon, made the former determination concerning the garrisons to be little considered. The king's army had lain above three weeks at and about Newbury; in which time their numbers were nothing improved, beyond what they had been upon their muster near Marlborough, when the king was present. When it was known that both the parliament armies were marched out of London; that under Essex to Windsor; and that of Waller, to the parts between Hertford Bridge and Basing, without any purpose of going farther west; the king's army marched to Reading; and in three days, his majesty being present, they alighted and demolished all the works of that garrison: and then, which was about the middle of May, with the addition of those soldiers, which increased the army five and twenty hundred old soldiers more, very well officered, the army retired to the quarters about Oxford, with an opinion, that it would be in their power to fight with one of the enemy's armies; which they longed exceedingly to do.

The king returned to Oxford, and resolved to stay there till he could have better information what the enemy intended; which was not now so easy as it had formerly been. For, since the conjunction with the Scottish commissioners in one council, for the carrying on the war, little business was brought to be consulted in either of the houses; and there was much greater secrecy than before; none being admitted into any kind of trust, but they whose affections were known to concur to the most desperate counsels. So that the designs were still entirely formed, before any part of them were communicated to the earl of Essex; nor was more communicated at a time than was necessary for the present execution; of which he was sensible enough, but could not help it. The intention was, "that the two armies, which marched out together, should always be distinct; and should only not sever, till it appeared what course the king meant to take; and if he stayed in Oxford, it would be fit for both to be in the siege; the circumsallation being very great, and to be divided in many places by the river; which would keep both armies still asunder under their several officers." But if the king marched out,

which they might reasonably presume he would, then the purpose was, "that the earl of Essex should follow the king, whither ever he went;" which they imagined would be northward; "and that Waller should march into the west, and subdue that." So that, having so substantially provided for the north by the Scots, and the earl of Manchester; and having an army under the earl of Essex, much superior in number to any the king could be attended with; and the third, under Waller, at liberty for the west; they promised themselves, and too reasonably, that they should make an end of the war that summer.

It was about the tenth of May, that the earl of Essex and sir William Waller marched out of London, with both their armies; and the very next day after the king's army had quitted Reading, the earl of Essex, from Windsor, sent forces to possess it; and recommended it to the city of London, to provide both men, and all other things necessary for the keeping it; which the memory of what they had suffered for the two past years, by being without it, easily disposed them to do. By this means the earl had the opportunity to join with Waller's army when he should think fit; which before they could not do with convenience or security. Nor did they ever after join in one body, but kept at a fit distance, to be able, if there were occasion, to help each other.

The earl of Essex's army consisted of all his old troops, which had wintered about St. Alban's, and in Bedfordshire; and being now increased with four regiments of the trained bands, and auxiliaries within the city of London, did not amount to less than ten thousand horse and foot. Waller had likewise received a large recruit from London, Kent, and Sussex; and was little inferior in numbers to Essex, and in reputation above him. When the king's army retired from Reading, the horse quartered about Wantage and Farringdon, and all the foot were put into Abingdon, with a resolution to quit or defend that town, according to the manner of the enemy's advance towards it; that is, if they came upon the east side, where, besides some indifferent fortifications, they had the advantage of the river, they would maintain and defend it; if they came on the west side from Wantage and Farringdon, they would draw out and fight, if the enemy were not by much superior in number; and, in that case, they would retire with the whole army to Oxford.

Being satisfied with this resolution, they lay in that quiet posture, without making the least impression upon the enemy, by beating up his quarters; which might easily have been done; or restraining them from making incursions where they had a mind; all which was imputed to the ill humour and negligence of Wilmot. The earl of Essex advanced with his army towards Abingdon; and upon the east part of the town; which was that which they had hoped for, in order to their defending it. But they were no sooner advertised of it, but the general, early the next morning, marched with all the foot out of Abingdon, the horse being come thither in the night to make good the retreat: and all this was done before his majesty had the least notice or suspicion of it. As soon as his majesty was informed of it by sir Charles Blunt, the scout master general, whom the general had sent to acquaint the king with the resolution, he sent sir Charles Blunt back to the



general, to let him know the great dislike he had of their purpose to quit the town, and to command him to stay, and not to advance till his majesty came to him; which he made all possible haste to do. But before the messenger could return, the army was within sight of Oxford; and so the foot was drawn through the city, and the horse quartered in the villages about the town.

Abingdon was in this manner, and to the king's infinite trouble, quitted; whither a party of Essex's army came the same night; and the next day, himself with all his foot entered the town; his horse being quartered about it. He then called Waller to bring up his army near him, that they might resolve in what manner to proceed; and he had his head quarter at Wantage: and so, without the striking one blow, they got the possession of Reading, Abingdon; and were masters of all Berkshire; and forced the king to draw his whole army of horse and foot on the north side of Oxford; where they were to feed on his own quarters, and to consider how to keep Oxford itself from being besieged, and the king from being enclosed in it.

This was the deplorable condition to which the king was reduced before the end of the month of May; insomuch that it was generally reported at London, "that Oxford was taken, and the king a prisoner;" and others more confidently gave it out, "that his majesty resolved to come to London;" of which the parliament was not without some apprehension, though not so much, as of the king's putting himself into the hands of the earl of Essex, and into his protection; which they could not endure to think of; and this troubled them so much, that the committee of both kingdoms, who conducted the war, writ this letter to their general.

"My lord,

"We are credibly informed, that his majesty intends to come for London. We desire you, that you will do your endeavour to inform yourself of the same; and if you think that his majesty intends at all to come to the armies, that you acquaint us with the same; and do nothing therein, until the houses shall give direction."

So much jealousy they had of the earl, and the more, because they saw not else what the king could do; who could not entertain any reasonable expectation of increase, or addition of force from the north, or from the west; prince Rupert being then in his march into Lancashire, for the relief of the earl of Derby, (besieged in his castle of Latham,) and prince Maurice being still engaged in the unfortunate siege of Lyme in Dorsetshire, a little fisher-town; which, after he had lain before it a month, was much more like to hold out, than it was the first day he came before it. In this perplexity, the king sent the lord Hopton to Bristol, to provide better for the security of that important city; where he knew Waller had many friends; and himself resolved yet to stay at Oxford, till he saw how the two armies would dispose themselves; that, when they were so divided that they could not presently join, he might fight with one of them; which was the greatest hope he had now left.

It was very happy that the two armies lay so

long quiet near each other, without pressing the advantages they had, or improving the confusion and distraction, which the king's forces were, at that time, too much inclined to. Orders were given so to quarter the king's army, that it might keep the rebels from passing over either of the rivers, Cherwell, or Isis, which run on the east and west sides of the city; the foot being, for the most part, quartered towards the Cherwell, and the horse, with some dragoons, near the Isis.

In this posture all the armies lay quiet, and without action, for the space of a day; which somewhat composed the minds of those within Oxford, and of the troops without; which had not yet recovered their dislike of their having quitted Abingdon, and thereby of being so straitened in their quarters. Some of Waller's forces attempted to pass the Isis at Newbridge, but were repulsed by the king's dragoons. But the next day Essex, with his whole army, got over the Thames at Sandford ferry, and marched to Islip, where he made his quarters; and, in his way, made a halt upon Bullington-green, that the city might take a full view of his army, and he of it. In order to which, himself, with a small party of horse, came within cannon shot; and little parties of horse came very near the ports, and had light skirmishes with some of the king's horse, without any great hurt on either side.

The next morning, a strong party of the earl's army endeavoured to pass over the Cherwell, at Gosworth-bridge; but were repulsed by the musketeers with very considerable loss; and so retired to their body. And now the earl being engaged, with his whole army, on the east side of the river Cherwell, whereby he was disabled to give or receive any speedy assistance to or from Waller; the king resolved to attempt the repossessing himself of Abingdon, and to take the opportunity to fight with Waller singly, before he could be relieved from the other army. In order to this, all the foot were in the evening drawn off from the guard of the passes, and marched through Oxford in the night towards Abingdon; and the earl of Cleveland, a man of signal courage, and an excellent officer upon any bold enterprise, advanced, with a party of one hundred and fifty horse, to the town itself; where there were a thousand foot, and four hundred horse of Waller's army; and entered the same, and killed many, and took some prisoners: but, upon the alarm, he was so overpowered, that his prisoners escaped, though he killed the chief commander, and made his retreat good, with the loss only of two officers, and as many common soldiers; and so both the attempt upon Abingdon was given over, and the design of fighting Waller laid aside; and the army returned again to their old post, on the north side of Oxford.

Sir Jacob Astley undertook the command himself at Gosworth-bridge, where he perceived the earl intended to force his passage; and presently cast up breastworks, and made a redoubt for the defence of his men, and repulsed the enemy, the second time, very much to their damage and loss; who renewed their assault two or three days together, and planted cannon to facilitate their passage, which did little hurt; but they still lost many men in the attempt. On the other side, Waller's forces from Abingdon did not find the new bridge so well defended; but overpowering those guards, and having got boats, in which they put over their

men, both above and below, they got that passage over the river Isis: by which they might have brought over all their army, and fallen upon the king's rear, whilst he was defending the other side.

It was now high time for the king to provide for his own security, and to escape the danger he was in, of being shut up in Oxford. Waller lost no time, but the next day passed over five thousand horse and foot, by Newbridge: the van whereof quartered at Ensham, and, the king's foot being drawn off from Gosworth-bridge, Essex immediately brought his men over the Cherwell; and quartered that night at Blechingdon; many of his horse advancing to Woodstock; so that the king seemed to them to be perfectly shut in between them; and to his own people, his condition seemed so desperate, that one of those with whom he used to advise in his most secret affairs, and whose fidelity was never suspected, proposed to him to render himself, upon conditions, to the earl of Essex; which his majesty rejected with great indignation; yet had the goodness to conceal the name of the proposer; and said, "that possibly he might be found in the hands of the earl of Essex, but he would be dead first." Word was given, "for all the horse to be together, at such an hour," to expect orders; and a good body of foot, with cannon, marched through the town towards Abingdon; by which it was concluded, that both armies would be amused, and Waller induced to draw back over Newbridge: and, as soon as it was evening, the foot, and cannon, returned to their old post on the north side.

The king resolved, for the encouragement of the lords of the council, and the persons of quality who were in Oxford, to leave his son the duke of York there; and promised, if they should be besieged, "to do all he could to relieve them, before they should be reduced to extremity." He appointed then, "that two thousand and five hundred choice musketeers should be drawn out of the whole foot, under the command of sir Jacob Astley, and four experienced colonels; all which should, without colours, repair to the place where the horse attended to receive orders, and that the rest of the foot should remain together on the north side, and so be applied to the defence of Oxford, if it should be besieged."

All things being in this order, on Monday the third of June, about nine of the clock at night, the king, with the prince, and those lords, and others who were appointed to attend him, and many others of quality who were not appointed, and only thought themselves less secure if they should stay behind, marched out of the north port, attended by his own troop, to the place where the horse, and commanded foot, waited to receive them; and from thence, without any halt, marched between the two armies, and by daybreak were at Hanborough, some miles beyond all their quarters. But the king rested not till the afternoon, when he found himself at Burford; and then concluded that he was in no danger to be overtaken by any army that was to follow with baggage, and a train of artillery: so that he was content to refresh his men there; and supped himself; yet was not without apprehension that he might be followed by a body of the enemy's horse; and therefore, about nine of the clock, he continued his march from Burford over the Cotswold, and by midnight

reached Burton upon the Water; where he gave himself, and his wearied troops, more rest and refreshment.

The morning after the king left Oxford, the foot marched again through Oxford, as if they meant to go to Abingdon, to continue that amusement which the day before had prevailed with Waller, to send many of his men back, and to delay his own advance; and likewise, that quarters might be provided for them against their return; which they did by noon. The earl of Essex had that morning, from Blechingdon, sent some horse to take a view of Oxford, and to learn what was doing there. And they seeing the colours standing, as they had done two days before, made him conclude, that the king was still there, and as much in his power as ever. Waller had earlier intelligence of his majesty's motion, and sent a good body of horse to follow him, and to retard his march, till he could come up: and his horse made such haste, that they found in Burford some of the straggling soldiers, who out of weariness, or for love of drink, had stayed behind their fellows. The earl of Essex followed likewise with his army, and quartered at Chipping Norton; and Waller's horse were as far as Broadway, when the king had reached Evesham; where he intended to rest, as in a secure place; though his garrison at Tewkesbury had been, the night before, surprised by a strong party from Gloucester; the chief officers being killed, and the rest taken prisoners; most of the common soldiers making their escape, and coming to Evesham. But, upon intelligence that both armies followed by strong marches, and it being possible that they might get over the river Avon about Stratford, or some other place, and so get between the king and Worcester, his majesty changed his purpose of staying at Evesham, and presently marched to Worcester, having given order for the breaking of the bridge at Pershore; which was, unwarily, so near done before all the troops were passed, that, by the sudden falling of an arch, major Bridges, of the prince's regiment, a man of good courage and conduct, with two or three other officers of horse, and about twenty common men, fell unfortunately into the Avon, and were drowned.

The earl of Essex, when he saw the king was got full two days' march before him, and that it was impossible so to overtake him, as to bring him into their power, resolved to pursue him no farther, but to consult what was else to be done; and, to that purpose, called a council of all the principal officers of both armies, to attend him at Burford; where it was resolved, "that Waller, who had the lighter ordnance, and the less carriages, should have such an addition of forces, as Massey, the governor of Gloucester, should be able to furnish him with; and so should pursue and follow the king wheresoever he should go; and that the earl of Essex, who had the greater ordnance, and the heavier carriages, should prosecute the other design of relieving Lyme, and reducing the west to the obedience of the parliament."

Waller opposed this resolution all he could; and urged some order and determination of the committee of both kingdoms in the point; and, "that the west was assigned to him, as his province, when the two armies should think fit to sever from each other." However, Essex gave him positive orders, as his general, "to march accord-

"ing to the advice of the council of war;" which he durst not disobey, but sent grievous complaints to the parliament, of the usage he was forced to submit to. And they at Westminster were so incensed against the earl of Essex, that they writ a very angry and imperious letter to him, in which they reproached him, "for not submitting to the directions which they had given;" and required him "to follow their former directions, and to suffer Waller to attend the service of the west." Which letter was brought to him before he had marched above two days westward. But the earl chose rather to answer their letter, than to obey their order; and writ to them, "that their directions had been contrary to the discipline of war, and to reason; and that, if he should now return, it would be a great encouragement to the enemy in all places;" and subscribed his letter, "Your innocent, though suspected servant, Essex;" and then prosecuted his resolution, and continued his march for the west.

When Waller found there was no remedy, he obeyed his orders with much diligence and vigour; and prosecuted his march towards Worcester, where his majesty then was; and, in his way, persuaded, rather than forced, the garrison of Sudely-castle, the strong house of the lord Chandois, to deliver up that place to him. The lord of that castle was a young man of spirit and courage; and had for two years served the king very bravely in the head of a regiment of horse, which himself had raised at his own charge; but had lately, out of pure weariness of the fatigue, and having spent most of his money, and without any diminution of his affection, left the king, under pretence of travel; but making London his way, he gave himself up to the pleasures of that place; which he enjoyed, without considering the issue of the war, or shewing any inclination to the parliament; nor did he, in any degree, contribute to the delivery of his house; which was at first imagined, because it was so ill, or not at all, defended. It was under the government of sir William Morton, a gentleman of the long robe; who, in the beginning of the war, cast off his gown, as many other gallant men of that profession of the law did, and served as lieutenant colonel in the regiment of horse under the lord Chandois; and had given so frequent testimony of signal courage in several actions, in which he had received many wounds, both by the pistol and the sword, that his mettle was never suspected; and his fidelity as little questioned: and after many years of imprisonment, sustained with great firmness and constancy, he lived to receive the reward of his merit, after the return of the king; who made him first a sergeant at law, and afterwards a judge of the king's bench; where he sat many years, and discharged the office with much gravity and learning; and was very terrible to those who chose to live by robbing on the highway. He was unfortunate, though without fault, in the giving up that castle in so unseasonable a conjuncture; which was done by the faction and artifice of an officer within, who had found means to go out to Waller, and to acquaint him with the great wants of the garrison; which indeed had not plenty of any thing: and so, by the mutiny of the soldiers, it was given up; and the governor made prisoner, and sent to the Tower; where he remained some years after the end of the war. From hence Waller, with great expedition, marched to

Evesham; where the evil inhabitants received him willingly; and had, as soon as the king left them, repaired their bridge over the Avon, to facilitate his coming to them; which he could not else so soon have done.

The king rested some days at Worcester, where by he very much refreshed his troops, which were there spared from doing duty; and likewise, by the loyalty of that good town, and the affection of the gentry of that county, who retired thither for their security, he procured both shoes and stockings, and money for his soldiers: and then, upon good information, that Waller was marched out of Evesham with his whole army towards Worcester, which he would probably besiege, the king resolved not to be found there; and therefore, having left that city well provided, and in good heart, his majesty removed with his little army to Bewdley, that he might keep the river Severn between him and the enemy; the foot being quartered together at Bewdley, and the horse by the side of the river towards Bridgenorth. The posture in which the king was, made Waller conclude that his majesty intended his course to Shrewsbury, and to the more northern parts. And it is true, that, without any such resolution, orders were sent to Shrewsbury, Bridgenorth, Ludlow, and other garrisons, "that they should make all possible provisions of corn, and other victual; which they should cause, in great quantities, to be brought thither;" which confirmed Waller in his former conjecture, and made him advance with his army beyond the king, that he might be nearer Shrewsbury than he. But, God knows, the king was without any other design, than to avoid the enemy; with whom he could not, with such a handful of foot, and without cannon, propose reasonably to fight a battle: and he had too many good reasons against going to either of those places, or to those parts, which Waller conceived him inclined to; and his majesty might well assume the complaint and expression of king David, "that he was hunted as a partridge upon the mountains;" and knew not whither to resort, or to what place to repair for rest.

In this perplexity, it looked like the bounty of Providence, that Waller was advanced so far: upon which, the king took a sudden resolution, to return with all expedition to Worcester, and to make haste to Evesham; where having broke the bridge, and so left the river of Avon at his back, he might be able, by quick marches, to join with that part of his army, which he had left at Oxford; and might thereby be in a condition to fight with Waller, and to prosecute any other design. Upon this good resolution, care was taken for all the boats to come both from Bridgenorth and Worcester, that the foot might, with the more speed and ease, be carried thither; all which succeeded to wish. Inso-much, that the next day, being embarked early in the morning, the foot arrived so soon at Worcester, that they might very well have marched that night to Evesham, but that many of the horse, which were quartered beyond Bewdley towards Bridgenorth, could not possibly march at that rate, nor come up soon enough; so that it was necessary that both horse and foot should remain that night together at Worcester; which they did accordingly.

The next morning, the king found no cause to alter any thing in his former resolution; and received good intelligence, that Waller, without

knowing any thing of his motion, remained still in his old quarters; whereupon he marched very fast to Evesham; nor would he stay there; but gave order for the horse and foot, without delay, to march through it; after he had provided for the breaking down the bridge, and made the inhabitants of the town pay two hundred pounds, for their alacrity in the reception of Waller; and likewise compelled them to deliver a thousand pair of shoes for the use of the soldiers; which, without any long pause, was submitted to, and performed. Then the army marched that night to Broadway, where they quartered; and very early the next morning, they mounted the hills near Camden; and there they had time to breathe, and to look with pleasure on the places they had passed through; having now left Waller, and the ill ways he must pass, far enough behind; for even in that season of the year, the ways in that vale were very deep.

Now the king sent colonel Fielding, and, lest he might miscarry, (for both from Gloucester, Tewkesbury, and Sudely-castle, the enemy had many scouts abroad,) two or three other messengers, to the lords of the council at Oxford, to let them know "of his happy return;" and that he meant to quarter that night at Burford; and the next at Witney; where he did expect, that all his foot, with their colours and cannon, would meet him; which, with unspeakable joy, they did. So that on Thursday the twentieth of June, which was within seventeen days after he had left Oxford in that disconsolate condition, the king found himself in the head of his army, from which he had been so severed, after so many accidents and melancholic perplexities, to which majesty has been seldom exposed. Nor can all the circumstances of that peregrination be too particularly and punctually set down. For as they administered much delight after they were passed, and gave them great argument of acknowledging God's good providence in the preservation of the king, and, in a manner, snatching him as a brand out of the fire, and redeeming him even out of the hands of the rebels; so it cannot be ungrateful, or without some pleasure to posterity, to see the most exact relation of an action so full of danger in all respects, and of an escape so remarkable. And now the king thought himself in a posture not only to abide Waller, if he approached towards him, but to follow and find him out, if he had a mind, or did endeavour to decline fighting with his majesty.

In the short time the king had been absent, the garrison at Oxford was not idle. When the king in the spring had prepared for the field, and in order thereunto had drawn out the garrison at Reading, it was thought to no purpose to keep lesser garrisons, at a less distance from Oxford; and thereupon the garrison at Bostal-house, reputed a strong place, upon the edge of Oxfordshire and Buckinghamshire, was appointed to demolish the works and fortifications, and to retire, and join with the army: which was no sooner done, but the garrison at Aylesbury, that had felt the effects of the other's ill neighbourhood, possessed the place, and put a garrison into it; which, after the king had left Oxford, and both the armies of Essex and Waller were gone from before it, gave little less trouble to that city, and obstructed the provisions which should come thither, almost as much as one of the armies had done. This brought great com-

plaints and clamour from the country, and from the town, to the lords of the council; and was ever made an excuse for their not complying with the commands they sent out, for labourers to work upon the fortifications; which was the principal work in hand; or for any other service of the town. When both armies were drawn off to such a distance in following the king, that there seemed for the present no reasonable apprehension of being besieged, the lords considered of a remedy to apply to this evil from Bostal-house; and receiving encouragement from colonel Gage, (of whom they had a great esteem, and of whom we shall speak shortly more at large,) who offered to undertake the reducing it, they appointed a party of commanded men of the foot, which the king had left there, with three pieces of cannon, and a troop of horse of the town, to obey his orders, who, by the break of day, appeared before the place; and in a short time, with little resistance, got possession of the church, and the outhouses, and then battered the house itself with his cannon; which they within would not long endure; but desired a parley. Upon which the house was rendered, with the ammunition, one piece of ordnance, which was all they had; and much good provision of victual, whereof they had plenty for horse and man; and had liberty given them to go away with their arms and horses; very easy conditions for so strong a post; which was obtained with the loss of one inferior officer, and two or three common men. Here the colonel left a garrison, that did not only defend Oxford from those mischievous incursions, but did very near support itself, by the contribution it drew from Buckinghamshire, besides the prey it frequently took from the very neighbourhood of Aylesbury.

The earl of Essex, by slow and easy marches, and without any opposition or trouble, entered into Dorsetshire; and by his great civility, and affability towards all men, and the very good discipline in his army, wrought very much upon the people. Inasmuch that his forces rather increased than diminished; which had, during his being before Oxford, been much lessened, not only by the numbers which were killed and hurt, but by the running away of many, whilst the sharp encounters continued at Gosworth-bridge. It can hardly be imagined, how great a difference there was in the humour, disposition, and manner of the army under Essex, and the other under Waller, in their behaviour and humanity towards the people; and, consequently, in the reception they found among them; the demeanour and carriage of those under Waller being much more gentlemanly, and barbarous, than that of the other: besides that the people, in all places, were not without some affection, and even reverence towards the earl, who, as well upon his own account, as the memory of his father, had been always universally popular.

When he came to Blandford, he had a great mind to make himself master of Weymouth, if he could compass it without engaging his army before it; which he resolved not to do; however it was little out of his way to pass near it. Colonel Ashburnham, then governor of Weymouth, was made choice of for that command, upon the opinion of his courage and dexterity; and, to make way for him, sir Anthony Ashley Cooper had been, the year before, removed from that charge; and was thereby

so much disobliged, that he quitted the king's party, and gave himself up, body and soul, to the service of the parliament, with an implacable animosity against the royal interest. The colonel had been intent upon other things, and not enough solicitous to finish the fortifications, which were not strong enough to defy an army, yet too strong to be delivered upon the approach of one. I shall say the less of this matter, because the governor afterwards pressed to have the whole examined before a council of war, where he produced a warrant under the hand of prince Maurice, "that, the town being untenable, he should, upon the advance of the earl of Essex, put a sufficient strength into Portland-castle, and retire thither;" which he had done; and was, by the council of war, absolved from any crime. Yet, the truth is, however absolved, he lost reputation by it; and was thought to have left the town too soon, though he meant to have returned again, after he had visited Portland. But in the mean time the townsmen mutinied, and sent to the earl of Essex when he was near the town; whereupon he came thither; which he would not otherwise have done; and gave the garrison leave to march with their arms to prince Maurice; and so became master of Weymouth; and, leaving men enough out of the country to defend it, without any delay he prosecuted his march to Lyme: from whence prince Maurice, upon the news of the loss of Weymouth, had retired with haste enough towards Exeter, with a body of full five and twenty hundred foot, and eighteen hundred horse; after he had put a garrison of five hundred men into Wareham, and with some loss of reputation, for having lain so long with such a strength before so vile and untenable a place, without reducing it.

As soon as the king had joined his army at Witney, which now consisted of full five thousand five hundred foot, and very near four thousand horse, with a convenient train of artillery, he resolved no longer to live upon his own quarters, which had been too much wasted by friends and enemies; but to visit the enemy's country; and so, the next day, he marched towards Buckingham, where he would stay and expect Waller, (of whose motion he yet heard nothing,) and from whence, if he appeared not, his majesty might enter into the associated counties, and so proceed northward, if, upon intelligence from thence, he found it reasonable. Whilst the king stayed at Buckingham, and thought himself now in a good condition to fight with the enemy, (his troops every day bringing in store of provisions, and, being now in a country where they were not expected, met with many cart-loads of wine, grocery, and tobacco, which were passing, as in secure roads, from London to Coventry and Warwick; all which were very welcome to Buckingham,) a new and unexpected trouble fell upon him by the ill humour and faction in his own army. Wilmot continued still sullen and perverse, and every day grew more insolent; and had contracted such an animosity against the lord Digby, and the master of the rolls, that he persuaded many officers of the army, especially of the horse, where he was most entirely obeyed, to join in a petition to the king, "that those two counsellors might be excluded, and be no more present in councils of war;" which they promised to do.

Waller remained still in Worcestershire; upon

which it was again consulted, what the king was to do. Some proposed "the marching presently into the associated counties;" others, "to lose no time in endeavouring to join with prince Rupert." Wilmot, without ever communicating it with the king, positively advised, "that they might presently march towards London, and, now both their generals and armies were far from them, make trial what the true affection of the city was; and that, when the army was marched as far as St. Alban's, the king should send such a gracious message both to the parliament and city, as was most like to prevail upon them;" and concluded, as if he knew "that this way of proceeding would be very much approved of by the army." This extravagant motion, with all the circumstances of it, troubled the king very much; yet he thought not fit absolutely to reject it, lest it might promote that petition, which he knew was framing among the officers; but wished them, "that such a message should be prepared, and then that he would communicate both that, and what concerned his march towards London, to the lords of the council at Oxford; that in so weighty an affair he might receive their counsel." To that purpose the lord Digby, and the master of the rolls, were sent to Oxford; who, after two days, returned without any approbation of the march, or the message by the lords. But all that intrigue fell of itself, upon the sure intelligence, "that Waller had left Worcestershire, and marched, with what speed he could, to find his majesty;" which gave new argument of debate.

When the king had so dexterously deceived and eluded him by his quick march to and from Worcester, Waller, who had not timely information of it, and less suspected it, thought it not to the purpose to tire his army with long marches in hope to overtake him; but first shewed it at all the walls of Worcester, to terrify that city, which had contemned his power a year before, when it was not so well able to resist it. But he quickly discerned he could do no good there: then he marched towards Gloucester, having sent to colonel Massey to send him some men out of Gloucester; which he, being a creature of Essex's, refused to do. Upon this denial, he marched into Warwickshire; and appointed his rendezvous in Keinton field, the place where the first battle was fought. There he received an addition of seven troops of horse, and about six hundred foot, from Warwick and from Coventry, with eleven pieces of ordnance. With this recruit he marched confidently towards the king; of which his majesty being informed, that he might the sooner meet him, he marched with his army to Brackley, when Waller was near Banbury; and the armies coming shortly in view of each other, upon a fair sunshine in the afternoon, after a very wet morning, both endeavoured to possess a piece of ground they well knew to be of advantage; which being nearer to Waller, and the king passing his whole army through the town of Banbury, before he could come to it, Waller had first his men upon it in good order of battle, before the king could reach thither: so that the king lay that night in the field, half a mile east of Banbury, the river of Cherwell being between the two armies.

The king resolved to make Waller draw off from that advantage ground, where he had stood

two days; and, in order thereunto, marched away, as if he would enter farther into Northamptonshire: and he no sooner moved, but Waller likewise drew off from his ground, and coasted on the other side of the river, but at such a distance, that it was thought he had no mind to be engaged. The van of the king's army was led by the general, and Wilmot: in the body was the king and the prince, and the rear consisted of one thousand commanded foot, under colonel Thelwell, with the earl of Northampton's and the earl of Cleveland's brigades of horse. And, that the enemy might not be able to take any advantage, a party of dragoons was sent to keep Cropredy-bridge, until the army was passed beyond it. The army marching in this order, intelligence was brought to the king, "that there was a body of three hundred horse within less than two miles of the van of the army, that marched to join with Waller; and that they might be easily cut off, if the army mended their pace." Whereupon, orders were sent to the foremost horse, "that they should move faster," the van and the middle having the same directions, without any notice given to the rear. Waller quickly discerned the great distance that was suddenly grown between the king's body and his rear, and presently advanced with fifteen hundred horse, one thousand foot, and eleven pieces of cannon, to Cropredy-bridge, which were quickly too strong for the dragoons that were left to keep it, and which made a very faint resistance: so that this party advanced above half a mile, pursuing their design of cutting off the king's rear, before they should be able to get up to the body of the army. To facilitate this execution, he had sent one thousand horse more, to pass over at a ford a mile below Cropredy-bridge, and to fall upon the rear of all. Timely notice being given of this to the earl of Cleveland, who was in the van of that division, and "of the enemy's having passed at Cropredy," (which was confirmed by the running of the horse, and scattered foot,) "and that there stood two bodies of horse without moving, and faced the army:" thereupon the earl presently drew up his brigade to a rising ground that faced that pass, where he discerned a great body of the rebels' horse drawn up, and ready to have fallen upon his rear. It was no time to expect orders; but the earl, led by his own great spirit, charged presently that body with great fury, which sustained it not with equal courage; losing a cornet, and many prisoners.

This alarm had quickly reached the king, who sent to the van to return, and himself drew up those about him, to a little hill beyond the bridge; where he saw the enemy preparing for a second charge upon the earl of Cleveland. The king commanded the lord Bernard Stewart, a valiant young gentleman, who commanded his own guards, "to make haste to the assistance of the rear; and, in his way, to charge those two bodies of horse which faced his majesty." He, with above a hundred of gallant and stout gentlemen, returned instantly over the bridge, and made haste towards those two bodies of horse; who, seeing their fellows routed by the earl of Cleveland, were then advancing to charge him in the flank, as he was following the execution. But the presence of this troop made them change their mind; and, after a very little stay, accom-

pany their fellows in their flight; which very much facilitated the defeat that quickly ensued.

The earl of Cleveland, after his short encounter, made a stand under a great ash, (where the king had but half an hour before stayed and dined,) not understanding what the enemy could mean by advancing so fast, and then flying so soon; when he perceived a body of their horse of sixteen cornets, and as many colours of foot, placed within the hedges, and all within musket-shot of him, and advancing upon him; which he likewise did upon them with notable vigour; and having stood their musket and carabine shot, he charged them so furiously, being resolutely seconded by all the officers of his brigade, that he routed both horse and foot, and chased them with good execution beyond their cannon: all which, being eleven pieces, were taken; with two barricadoes of wood, which were drawn upon wheels, and in each seven small brass and leather guns, charged with case-shot; most of their cannoneers were killed, and the general of their ordnance taken prisoner. This man, one Weemes, a Scotchman, had been as much obliged by the king, as a man of his condition could be, and in a manner very unpopular: for he was made master gunner of England, with a pension of three hundred pounds *per annum* for his life, (which was looked upon as some disrespect to the English nation,) and having never done the king the least service, he took the first opportunity to disserve him; and having been engaged against him, from the beginning of the rebellion, he was now preferred by them, for his eminent disloyalty, to be general of the ordnance in the army of sir William Waller; who was very much advised by him in all matters of importance. Besides Weemes, there was taken prisoner Baker, lieutenant colonel to sir William Waller's own regiment, and five or six lieutenant colonels and captains, of as good names as were amongst them; with many lieutenants, ensigns, and cornets, quartermasters; and above one hundred common soldiers; many more being slain in the charge. The earl pursued them as far as the bridge; over which he forced them to retire, in spite of their dragoons, which were placed there to make good their retreat; all which fled with them, or before. And so the earl, having cleared that side of the river, and not knowing how far he was from the army, retired, as he had good reason to do; having lost, in this notable action, two colonels, sir William Boteler, and sir William Clarke, both gentlemen of Kent, of fair fortunes, who had raised and armed their regiments at their own charge, who were both killed dead upon the place, with one captain more of another regiment, and not above fourteen common soldiers.

At the same time, the earl of Northampton discovered that party of the enemy's horse, which had found a passage over the river a mile below, to follow him in the rear; and presently faced about with those regiments of his brigade. Upon which, without enduring the charge, the whole body betook themselves to flight, and got over the pass they had so newly been acquainted with, with little loss, because they prevented the danger; though many of them, when they were got over, continued their flight so far, as if they were still pursued, that they never returned again to their army. The lord Bernard, with the king's troop, seeing there was no enemy left on that side, drew

up in a large field opposite to the bridge; where he stood, whilst the cannon, on the other side, played upon him, until his majesty and the rest of the army passed by them, and drew into a body upon the fields near Wilsot. Waller instantly quitted Cropredy, and drew up his whole army upon the high grounds, which are between Cropredy and Hanwell, opposite to the king's quarters about a mile; the river of Cherwell, and some low grounds, being between both armies; which had a full view of each other.

It was now about three of the clock in the afternoon, the weather very fair, and very warm, (it being the 29th day of June,) and the king's army being now together, his majesty resolved to prosecute his good fortune, and to go to the enemy, since they would not come to him: and, to that purpose, sent two good parties, to make way for him to pass both at Cropredy-bridge, and the other pass a mile below; over which the enemy had so newly passed: both which places were strongly guarded by them. To Cropredy they sent such strong bodies of foot, to relieve each other as they should be pressed, that those sent by the king thither could make no impression upon them; but were repulsed, till the night came, and severed them; all parties being tired with the duty of the day. But they who were sent to the other pass, a mile below, after a short resistance, gained it, and a hill adjoining; where after they had killed some, they took the rest prisoners; and from thence, did not only defend themselves that and the next day, but did the enemy much hurt; expecting still that their fellows should master the other pass, that so they might advance together.

Here the king was prevailed with to make trial of another expedient. Some men, from the conference they had with the prisoners, others from other intelligence, made no doubt, but that if a message were now sent of grace and pardon to all the officers and soldiers of that army, they would forthwith lay down their arms: and it was very notorious, that multitudes ran every day from thence. How this message should be sent, so that it might be effectually delivered, was the only question that remained: and it was agreed, "that 'sir Edward Walker' (who was both garter king at arms, and secretary to the council of war) 'should be sent to publish that his majesty's grace.' But he wisely desired, 'that a trumpet 'might be first sent for a pass;' the barbarity of that people being notorious, that they regarded not the laws of arms, or of nations. Whereupon a trumpet was sent to sir William Waller, to desire 'a safe conduct for a gentleman, who 'should deliver a gracious message from his majesty.' After two hours' consideration, he returned answer, 'that he had no power to receive any 'message of grace or favour from his majesty, 'without the consent of the two houses of parliament at Westminster, to whom his majesty, 'if he pleased, might make his addresses.' And as soon as the trumpet was gone, as an evidence of his resolution, he caused above twenty shot of his greatest cannon to be made at the king's army, and as near the place as they could, where his majesty used to be.

When both armies had stood upon the same ground, and in the same posture, for the space of two days, they both drew off to a greater distance

from each other; and, from that time, never saw each other. It then quickly appeared, by Waller's still keeping more aloof from the king, and his marching up and down from Buckingham, sometimes towards Northampton, and sometimes towards Warwick, that he was without other design, than of recruiting his army; and that the defeat of that day at Cropredy was much greater, than it then appeared to be; and that it even broke the heart of his army. And it is very probable, that if the king, after he had rested and refreshed his men three or four days, which was very necessary in regard they were exceedingly tired with continual duty, besides that the provisions would not hold longer in the same quarters, had followed Waller, when it was evident he would not follow the king, he might have destroyed that army without fighting: for it appeared afterwards, without its being pursued, that within fourteen days after that action at Cropredy, Waller's army, that before consisted of eight thousand, was so much wasted, that there remained not with him half that number.

But the truth is, from the time that the king discovered that mutinous spirit in the officers, governed by Wilmot, at Buckingham, he was unsatisfied with the temper of his own army, and did not desire a thorough engagement, till he had a little time to reform some, whom he resolved never more heartily to trust; and to undeceive others, who, he knew, were misled without any malice, or evil intention. But when he now found himself so much at liberty from two great armies, which had so straitly encompassed him, within little more than a month; and that he had, upon the matter, defeated one of them, and reduced it to a state, in which it could, for the present, do him little harm; his heart was at no ease, with apprehension of the terrible fright the queen would be in, (who was newly delivered of a daughter, that was afterwards married to the duke of Orleans,) when she saw the earl of Essex before the walls of Exeter, and should be at the same time informed, that Waller was with another army in pursuit of himself. His majesty resolved therefore, with all possible expedition, to follow the earl of Essex, in hopes that he should be able to fight a battle with him, before Waller should be in a condition to follow him: and his own strength would be much improved, by a conjunction with prince Maurice; who, though he retired before Essex, would be well able, by the north of Devonshire, to meet the king, when he should know that he marched that way.

His majesty had no sooner taken this resolution, than he gave notice of it to the lords of the council at Oxford; and sent an express into the west, to inform the queen of it; who, by the way, carried orders to the lord Hopton, "to draw what 'men he could out of Monmouthshire, and South 'Wales, into Bristol; that himself might meet 'his majesty with as many as he could possibly 'draw out of that garrison." So, without any delay, the whole army, with what expedition was possible, marched towards the west over the Cotswold to Cirencester; and so to Bath; where he arrived on the 15th day of July, and stayed there one whole day, to refresh his army; which stood enough in need of it.

The king had scarce marched two days westward, when he was surprised with terrible news



from the north; for, after he had, by an express from Oxford, received intelligence, "that prince Rupert had not only relieved York, but totally defeated the Scots, with many particulars to confirm it," (all which was so much believed there, that they had made public fires of joy for the victory,) he now received quite contrary information, and was too surely convinced, that his whole army was defeated. It was very true, that, after many great and noble actions performed by prince Rupert in the relief of Latham, and the reduction of Bolton, and all other places in that large county, (Manchester only excepted,) in which the rebels lost very many, much blood having been shed in taking places by assault, which were too obstinately defended; the prince had marched out of Lancashire with so good reputation, and had given his orders so effectually to Goring, who lay in Lincolnshire with that body of horse that belonged to the marquis of Newcastle's army, that they happily joined him; and marched together towards York, with such expedition, that the enemy was so surprised, that they found it necessary to raise the siege in confusion enough; and leaving one whole side of the town free, drew to the other side, in great disorder and consternation; there being irreconcilable differences, and jealousies, between the officers, and, indeed, between the nations: the English resolving to join no more with the Scots, and they, on the other side, as weary of their company and discipline; so that the prince had done his work; and if he had sat still, the other great army would have mouldered to nothing, and been exposed to any advantage his highness would take of them.

But the dismal fate of the kingdom would not permit so much sobriety [of counsel]: one side of the town was no sooner free, by which there was an entire communication with those in the town, and all provision brought in abundantly out of the country, but the prince, without consulting with the marquis of Newcastle, or any of the officers within the town, sent for all the soldiers to draw out, and put the whole army in battalia, on that side where the enemy was drawn up; who had no other hope to preserve them but a present battle, to prevent the reproaches and mutinies which distracted them. And though that party of the king's horse which charged the Scots, so totally routed and defeated their whole army, that they fled all ways for many miles together, and were knocked on the head, and taken prisoners by the country, and Lesley their general fled ten miles, and was taken prisoner by a constable, (from whence the news of the victory was speedily brought to Newark, and thence sent by an express to Oxford; and so received and spread as aforesaid,) yet the English horse, commanded by Fairfax and Cromwell, charged those on that side so well, and in such excellent order, being no sooner broken than they rallied again, and charged as briskly, that, though both Fairfax and Cromwell were hurt, and both above the shoulders, and many good officers killed, they prevailed over that body of horse which opposed them, and totally routed and beat them off the field; so that almost the whole body of the marquis of Newcastle's foot were cut off.

The marquis himself, and his brave brother, sir Charles Cavendish, (who was a man of the

noblest and largest mind, though the least and most inconvenient body that lived,) charged in the head of a troop of gentlemen, who came out of the town with him, with as much gallantry and courage as men could do. But it was so late in the evening before the battle begun, that the night quickly fell upon them; and the generals returned into the town, not enough knowing their own loss, and performing very few compliments to each other. They who most exactly describe that unfortunate battle, and more unfortunate abandoning that whole country, (when there might have been means found to have drawn a good army together,) by prince Rupert's hasty departure with all his troops, and the marquis of Newcastle's as hasty departure to the sea-side, and taking ship, and transporting himself out of the kingdom, and all the ill consequences thereupon, give so ill an account of any conduct, courage, or discretion, in the managery of that affair, that, as I can take no pleasure in the draught of it, so posterity would receive little pleasure, or benefit, in the most particular relation of it.

This may be said of it, that the like was never done, or heard, or read of before; that two great generals, whereof one had still a good army left, his horse, by their not having performed their duty, remaining upon the matter entire, and much the greater part of his foot having retired into the town, the great execution having fallen upon the northern foot; and the other, having the absolute commission over the northern counties, and very many considerable places in them still remaining under his obedience, should both agree in nothing else, but in leaving that good city, and the whole country, as a prey to the enemy; who had not yet the courage to believe that they had the victory; the Scots having been so totally routed, (as hath been said before,) their general made prisoner by a constable, and detained in custody, till most part of the next day was passed; and most of the officers, and army, having marched, or run above ten miles northward, before they had news that they might securely return: and though the horse under Fairfax and Cromwell had won the day, yet they were both much wounded, and many others of the best officers killed, or so maimed that they could not, in any short time, have done more hurt: so that if there had been any agreement to have concealed their loss, which might have been done to a good degree, (for the enemy was not possessed of the field, but was drawn off at a distance, not knowing what the horse, which had done so little, might do the next day,) there might probably many advantages have appeared, which were not at the instant in view; however, they might both have done that as securely afterwards, as they did then unseasonably.

But neither of them were friends to such deliberation; but, as soon as they were refreshed with a little sleep, they both sent a messenger to each other, almost at the same time; the one, "that he was resolved, that morning, to march away with his horse, and as many foot as he had left;" and the other, "that he would, in that instant, repair to the sea-side, and transport himself beyond the seas;" both which they immediately performed; the marquis making haste to Scarborough, there embarked in a poor vessel, and arrived at Hamburgh: the prince,



with his army, begun his march the same morning towards Chester. And so York was left to the discretion of sir Thomas Glemham, the governor thereof, to do with it as he thought fit; being in a condition only to deliver it up with more decency, not to defend it against an enemy that would require it.

Whereas, if prince Rupert had stayed with the army he marched away with, at any reasonable distance, it would have been long before the jealousies and breaches, which were between the English and Scotch armies, would have been enough composed to have agreed upon the renewing the siege; such great quantities of provision being already brought into the town: and the Scots talked of nothing but returning into their own country, where the marquis of Mountrose had kindled already a fire, which the parliament of Edinburgh could not quench. But the certain intelligence, "that the prince was marched away without thought of returning," and that the marquis had embarked himself, reconciled them so far, (and nothing else could,) that, after two days, they returned to the posts they had before had in the siege; and so straitened the town, that the governor, when he had no hope of relief, within a fortnight was compelled to deliver it up, upon as good articles for the town, and the gentry that were in it, and for himself, and the few soldiers he had left, as he could propose: and so he marched with all his troops to Carlisle; which he afterwards defended with very remarkable circumstances of courage, industry, and patience.

The times afterwards grew so bad, and the king's affairs succeeded so ill, that there was no opportunity to call either of those two great persons to account for what they had done, or what they had left undone. Nor did either of them ever think fit to make any particular relation of the grounds of their proceeding, or the causes of their misadventures, by way of excuse to the king, or for their own vindication. Prince Rupert, only to his friends, and after the murder of the king, produced a letter in the king's own hand, which he received when he was upon his march from Lancashire towards York; in which his majesty said, "that his affairs were in so very ill a state, "that it would not be enough, though his highness raised the siege from York, if he had not likewise beaten the Scotch army;" which he understood "to amount to no less than a peremptory order to fight, upon what disadvantage soever:" and added, "that the disadvantage was so great, the enemy being so much superior in number, it was no wonder he lost the day." But as the king's letter would not bear that sense, so the greatest cause of the misfortune was the precipitate entering upon the battle, as soon as the enemy drew off; and without consulting at all with the marquis of Newcastle, and his officers; who must needs know more of the enemy, and consequently how they were best to be dealt with, than his highness could do. For he saw not the marquis, till, upon his summons, he came into the field, in the head of a troop of gentlemen, as a private captain, when the battle was ranged; and which, after a very short salutation, immediately begun; those of the marquis's army, who came out of the town, being placed upon the ground left by the prince, and assigned to them; which

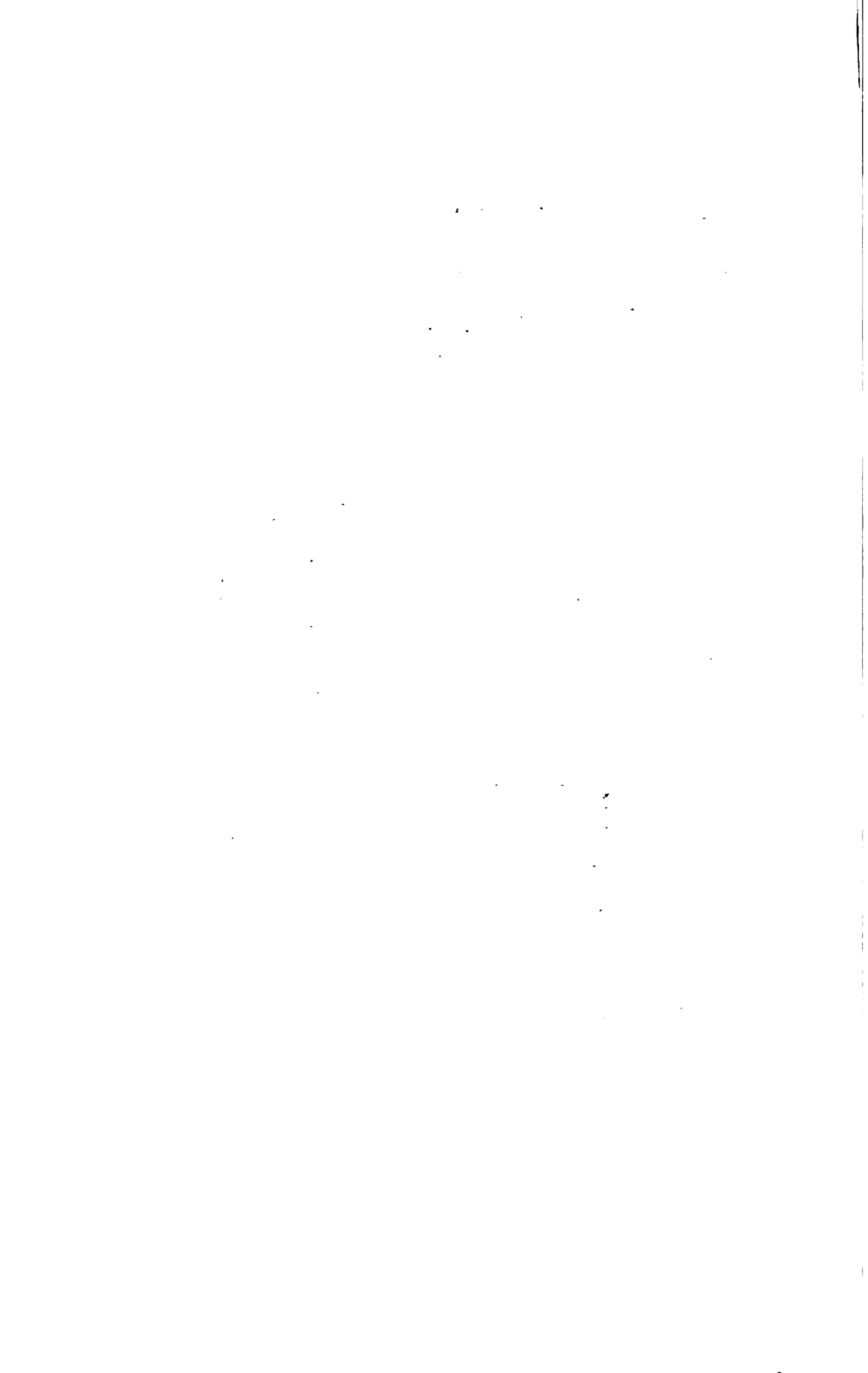
much indisposed both officers and soldiers to the work in hand, and towards those with whom they were to join in it.

Then it was too late in the day to begin the fight, if all the other ill circumstances had been away; for it was past three in the afternoon: whereas, if it had been deferred till next morning, in which time a full consultation might have been had, and the officers and soldiers grown a little acquainted with each other, better success might have been reasonably expected; nor would the confusion and consternation the other armies were then in, which was the only excuse for the present engagement, have been the less; but, on the contrary, very much improved by the delay; for the bitterness and animosity between the chief commanders was such, that a great part of the army was marched six miles, when it appeared, by the prince's manner of drawing his army together to that ground, that his resolution was to fight: the speedy intelligence whereof prevailed, and nothing else could, with those who were gone so far, to return; and with the rest, to unite and concur in an action, that, in human reason, could only preserve them; and if that opportunity had not then been so unhappily offered, it was generally believed that the Scots would, the next morning, have continued their march northward; and the earl of Manchester would have been necessitated to have made his retreat, as well as he could, into his associated counties; and it would have been in the prince's power to have chosen which of them he would have destroyed.

But then of all the rest, his going away the next morning with all his troops, in that manner, was most unexcusable; because most prejudicial, and most ruinous to the king's affairs in those parts. Nor did those troops ever after bring any considerable advantage to the king's service, but mouldered away by degrees, and the officers, whereof many were gentlemen of quality and great merit, were killed upon beating up of quarters, and little actions not worth their presence. The truth is, the prince had some secret intimation of the marquis's purpose of immediately leaving the town, and embarking himself for the parts beyond the seas, before the marquis himself sent him word of it; upon which, in great passion and rage, he sent him notice of his resolution presently to be gone, that he who had the command of all those parts, and thereby an obligation not to desert his charge, might be without any imagination that the prince would take such a distracted government upon him, and leave him any excuse for his departure: and if in this joint distemper, with which they were both transported, any persons of discretion and honour had interposed, they might, in all probability, have prevailed with both, for a good understanding between them, or at least for the suspension of their present resolutions, and considering what might best be done. But they both resolved so soon, and so soon executed what they resolved, that very few had the least suspicion of their intentions, till they were both out of distance to have their conversion attempted.

All that can be said for the marquis is, that he was so utterly tired with a condition and employment so contrary to his humour, nature, and education, that he did not at all consider the means, or the way, that would let him out of it, and free him for ever from having more to do with it. And it





Engraved by WILLMOSE

WILLIAM CAVENDISH, MARQUIS OF NEWCASTLE

OB 1676

FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL SPENCER



was a greater wonder, that he sustained the vexation and fatigue of it so long, than that he broke from it with so little circumspection. He was a very fine gentleman, active, and full of courage, and most accomplished in those qualities of horsemanship, dancing, and fencing, which accompany a good breeding; in which his delight was. Besides that he was amorous in poetry and music, to which he indulged the greatest part of his time; and nothing could have tempted him out of those paths of pleasure, which he enjoyed in a full and ample fortune, but honour and ambition to serve the king when he saw him in distress, and abandoned by most of those who were in the highest degree obliged to him, and by him. He loved monarchy, as it was the foundation and support of his own greatness; and the church, as it was well constituted for the splendour and security of the crown; and religion, as it cherished and maintained that order and obedience that was necessary to both; without any other passion for the particular opinions which were grown up in it, and distinguished it into parties, than as he detested whatsoever was like to disturb the public peace.

He had a particular reverence for the person of the king, and the more extraordinary devotion for that of the prince, as he had had the honour to be trusted with his education as his governor; for which office, as he excelled in some, so he wanted other qualifications. Though he had retired from his great trust, and from the court, to decline the insupportable envy which the powerful faction had contracted against him, yet the king was no sooner necessitated to possess himself of some place of strength, and to raise some force for his defence, but the earl of Newcastle (he was made marquis afterwards) obeyed his first call; and, with great expedition and dexterity, seized upon that town; when till then there was not one port town in England that avowed their obedience to the king; and he then presently raised such regiments of horse and foot, as were necessary for the present state of affairs; all which was done purely by his own interest, and the concurrence of his numerous allies in those northern parts; who with all alacrity obeyed his commands, without any charge to the king; which he was not able to supply.

And after the battle of Edge-hill, when the rebels grew so strong in Yorkshire, by the influence their garrison of Hull had upon both the East and West Riding there, that it behoved the king presently to make a general, who might unite all those northern counties in his service, he could not choose any man so fit for it, as the earl of Newcastle, who was not only possessed of a present force, and of that important town, but had a greater reputation and interest in Yorkshire itself, than, at that present, any other man had: the earl of Cumberland being at that time, though of entire affection to the king, much decayed in the vigour of his body and his mind, and unfit for that activity which the season required. And it cannot be denied, that the earl of Newcastle, by his quick march with his troops, as soon as he had received his commission to be general, and in the depth of winter, redeemed, or rescued the city of York from the rebels, when they looked upon it as their own, and had it even within their grasp: and as soon as he was master of it, he raised men apace, and drew an army together, with which he fought many battles, in

which he had always (this last only excepted) success and victory.

He liked the pomp and absolute authority of a general well, and preserved the dignity of it to the full; and for the discharge of the outward state, and circumstances of it, in acts of courtesy, affability, bounty, and generosity, he abounded; which, in the infancy of a war, became him, and made him, for some time, very acceptable to men of all conditions. But the substantial part, and fatigue of a general, he did not in any degree understand, (being utterly unacquainted with war,) nor could submit to; but referred all matters of that nature to the discretion of his lieutenant general King; who, no doubt, was an officer of great experience and ability, yet, being a Scotchman, was in that conjuncture upon more disadvantage than he would have been, if the general himself had been more intent upon his command. In all actions of the field he was still present, and never absent in any battle; in all which he gave instances of an invincible courage and fearlessness in danger; in which the exposing himself notoriously did sometimes change the fortune of the day, when his troops begun to give ground. Such articles of action were no sooner over, than he retired to his delightful company, music, or his softer pleasures, to all which he was so indulgent, and to his ease, that he would not be interrupted upon what occasion soever; insomuch as he sometimes denied admission to the chiefest officers of the army, even to general King himself, for two days together; from whence many inconveniences fell out.

From the beginning, he was without any reverence or regard for the privy-council, with few of whom he had any acquaintance; but was of the other soldiers' mind, that all the business ought to be done by councils of war, and was always angry when there were any overtures of a treaty; and therefore, especially after the queen had landed in Yorkshire, and stayed so long there, he considered any orders he received from Oxford, though from the king himself, more negligently than he ought to have done; and when he thought himself sure of Hull, and was sure that he should be then master entirely of all the north, he had no mind to march nearer the king, (as he had then orders to march into the associated counties, when, upon the taking of Bristol, his majesty had a purpose to have marched towards London on the other side,) out of apprehension that he should be eclipsed by the court, and his authority overshadowed by the superiority of prince Rupert; from whom he desired to be at distance: yet when he found himself in distress, and necessitated to draw his army within the walls of York, and saw no way to be relieved but by prince Rupert, who had then done great feats of arms in the relief of Newark, and afterwards in his expedition into Lancashire, where he was at that time, he writ to the king to Oxford, either upon the knowledge that the absoluteness and illimitedness of his commission was generally much spoken of, or out of the conscience of some discourse of his own to that purpose; which might have been reported; "that he hoped his majesty did believe, that he would never make the least scruple to obey the grandchild of king James:" and assuredly, if the prince had cultivated the good inclinations the marquis had towards him, with any civil and gracious condescensions, he

would have found him full of duty and regard to his service and interest.

But the strange manner of the prince's coming, and undeliberated throwing himself, and all the king's hopes, into that sudden and unnecessary engagement, by which all the force the marquis had raised, and with so many difficulties preserved, was in a moment cast away and destroyed, so transported him with passion and despair, that he could not compose himself to think of beginning the work again, and involving himself in the same undelightful condition of life, from which he might now be free. He hoped his past meritorious actions might outweigh his present abandoning the thought of future action; and so, without farther consideration, as hath been said, he transported himself out of the kingdom, and took with him general King; upon whom they, who were content to spare the marquis, poured out all the reproaches of "infidelity, treason, and conjunction with his countrymen;" which, without doubt, was the effect of the universal discontent, and the miserable condition to which the people of those northern parts were on the sudden reduced, without the least foundation, or ground for any such reproach: and as he had, throughout the whole course of his life, been generally reputed a man of honour, and had exercised the highest commands under the king of Sweden with extraordinary ability and success, so he had been prosecuted by some of his countrymen with the highest malice, from his very coming into the king's service; and the same malice pursued him after he had left the kingdom, even to his death.

The loss of England came so soon to be lamented, that the loss of York, or the too soon deserting the northern parts, were comparatively no more spoken of; and the constant and noble behaviour of the marquis in the change of his fortune, and his cheerful submission to all the straits, necessities, and discomforts, which are inseparable from banishment, without the least application to the usurpers, who were possessed of his whole estate, and upon which they committed all imaginable and irreparable waste, in destroying all his woods of very great value, and who were still equally abhorred and despised by him; with his readiness and alacrity again to have embarked himself in the king's quarrel, upon the first reasonable occasion, so perfectly reconciled all good men to him, that they rather observed what he had done and suffered for the king and for his country, without farther inquiring what he had omitted to do, or been overseen in doing.

This fatal blow, which so much changed the king's condition, that till then was very hopeful, made not such an impression upon his majesty, but that it made him pursue his former resolution, to follow the earl of Essex, with the more impatience; having now in truth nothing else to do. But being informed that the earl of Essex had not made any long marches, and that the queen, upon the first news of the earl's drawing near, though she had been little more than a fortnight delivered, had left Exeter, and was removed into Cornwall, from whence, in a short time, her majesty embarked for France, (the prince of Orange having sent some Dutch ships of war to attend the queen's commands in the harbour of Falmouth; and from thence her majesty transported herself,) his majesty marched more slowly, that he might

increase his army from Bristol, and other places; and making no doubt, but that he should be able to engage the army of the earl of Essex, who was already near Exeter, before he should be able to return to London; and prince Maurice, who had waited near two years without taking Lyme or Plymouth, the former of which was a little vile fishing town, defended by a small dry ditch, was already withdrawn into Cornwall, having lost much reputation in those parts by his unsuccessful attempts.

The earl of Essex's good fortune now began to decline: and he had not proceeded with his accustomed wariness and skill, but run into labyrinth, from whence he could not disentangle himself. When he had marched to the length of Exeter, which he had some thought of besieging, without any imagination that he could find an enemy to contend with him, having left the king in so ill a condition, and sir William Waller with so good an army waiting upon him, he received the news of the "defeat sir William Waller [had] received;" and that the king was come with his whole army "into the west in pursuit of him, without being "followed by Waller, or any troops to disquiet or "retard his march;" which exceedingly surprised him, and made him suspect that the parliament itself had betrayed him, and conspired his ruin.

And the jealousies were now indeed grown very great between them; the parliament looking upon his march into the west, and leaving Waller, to whom they intended the other province, to follow the king, but as a declaration that he would no more fight against the person of the king; and the earl, on the other side, had well observed the difference betwixt the care and affection the parliament expressed for and towards his army, and the other under the command of the earl of Manchester; which they set so great a price upon, that he thought they would not so much care what became of his. Otherwise, it could not be possible, that, upon so little a brush as Waller had sustained, he could not be able to follow and disturb the king, in a country so enclosed, as he must pass through. In this unexpected strait, upon the first reception of the news, he resolved to return back, and meet and fight with the king, either before he entered Devonshire, or else in Somersetshire; in either of which places he could not be straitened in room, or provisions, or be compelled to fight in a place disadvantageous, or when he had no mind to it; and if he had pursued this resolution, he had done prudently. But the lord Roberts, who was a general officer in his army, of an unsociable nature, and impetuous disposition, full of contradiction in his temper, and of parts so much superior to any in the company, that he could too well maintain and justify all those contradictions, positively opposed the return of the army; but pressed, with his confidence, "that the army should continue its march "to Cornwall;" where he undertook to have so great interest, that he made no question, "but "the presence of the earl of Essex, with his army, "would so unite that whole county to the parliament's service, that it would be easy to defend "the passes into the whole county (which are not "many) in such a manner, that the king's army "should never be able to enter into Cornwall, nor "to retire out of Devonshire without great loss,

"nor before the parliament would send more forces upon their backs."

The lord Roberts, though inferior in the army, had much greater credit in the parliament than the earl of Essex; and the earl did not think him very kind to him, he being then in great conjunction with sir Harry Vane, whom of all men the earl hated, and looked upon as an enemy. He had never been in Cornwall; and so knew not the situation of the country: and some of the officers, and many others of that country, (as there were with him four or five gentlemen of that country of interest,) concurred fully with the lord Roberts, and promised great matters, if the army marched thither: whereupon the earl departed from his own understanding, and complied with their advice; and so marched the direct way with all his army, horse, foot, and cannon, into that narrow county; and pursued prince Maurice and those forces, which easily retired, westward; until he found himself in straits; where we shall leave him for the present.

After the king had made a small stay at Exeter, where he found his young daughter, of whom the queen had been so lately delivered, under the care and government of the lady Dalkeith, (shortly after countess of Morton by the death of her husband's father,) who had been long before designed by both their majesties to that charge; and having a little refreshed and accommodated his troops, he marched directly to Cornwall; where he found the earl of Essex in such a part of the country on the sea-side, that he quickly, by the general conflux and concurrence of the whole people, upon which the earl had been persuaded so much to depend, found means, with very little fighting, so to straiten his quarters, that there seemed little appearance that he could possibly march away with his army, or compel the king to fight. He was, upon the matter, enclosed in and about Foy; whilst the king lay encamped about Liskard; and no day passed without some skirmishes; in which the earl was more distressed, and many of his considerable officers taken prisoners. And here there happened an accident, that might very well have turned the king's fortune, and deprived him of all the advantages which were in view. The king being always in the army himself, all matters were still debated before him, in the presence of those counsellors who were about him; who, being men of better understandings and better expressions, commonly disposed his majesty to their opinions, at least kept him from concurring in every thing which was proposed by the officers. The counsellors, as hath been said before, were the lord Digby, secretary of state, and sir John Colepepper, master of the rolls, of whose judgment the king had more esteem, even with reference to the war, than of most of the officers of the army; which raised an implacable animosity in the whole army against them.

General Ruthen, who by this time was created earl of Brentford, was general of the army; but, as hath been said, both by reason of his age, and his extreme deafness, was not a man of counsel or words; hardly conceived what was proposed, and as confusedly and obscurely delivered his opinion; and could indeed better judge by his eye than his ear; and in the field well knew what was to be done. Wilmot was lieutenant general of the horse, and at this time the second officer of the army,

and had much more credit and authority in it, than any man; which he had not employed to the king's advantage, as his majesty believed. He was a man proud and ambitious, and incapable of being contented; an ordinary officer in marches, and governing his troops. He drank hard, and had a great power over all who did so, which was a great people. He had a more companionable wit even than his rival Goring, and swayed more among the good fellows, and could by no means endure that the lord Digby and sir John Colepepper should have so much credit with the king in councils of war.

The king had no kindness for him upon an old account, as remembering the part he had acted against the earl of Strafford: however, he had been induced, upon the accidents which happened afterwards, to repose trust in him; and this he knew well enough; and foresaw, that he should be quickly overshadowed in the war; and therefore desired to get out of it, by a seasonable peace; and so, in all his discourses, urged the necessity of it, as he had begun in Buckinghamshire; and, "that the king ought to send propositions to the parliament, in order to obtaining it;" and in this march had prosecuted his former design by several cabals among the officers; and disposed them to petition the king, "to send to the parliament again an offer of peace; and that the lord Digby and sir John Colepepper might not be permitted to be present in councils of war;" implying, "that if this might not be granted, they would think of some other way." Which petition, though, by the wisdom of some officers, it was kept from being delivered, yet so provoked the king, that he resolved to take the first opportunity to free himself from his impetuous humour; in which good disposition the lord Digby ceased not to confirm his majesty; and as soon as the news came of the northern defeat, and that the marquis of Newcastle had left the kingdom, he prevailed that Goring might be sent for to attend his majesty; who then proposed to himself to make his nephew prince Rupert general of the army, and Goring general of the horse; which Wilmot could not avowedly have excepted against, the other having been always superior to him in command; and yet would be such a mortification to him, as he would never have been able to digest.

Whether his apprehensions of this, as his jealous nature had much of sagacity in it, or his restless and mutinous humour, transported him, but he gave not the king time to prosecute that gracious method; but even forced him to a quicker and a rougher remedy: for during the whole march, he discoursed in all places, "that the king must send to the earl of Essex to invite him to a conjunction with him, that so the parliament might be obliged to consent to a peace; and pretended, that he had so good intelligence in that army, as to know that such an invitation would prove effectual, and be acceptable to the earl; who, he knew, was unsatisfied with the parliament's behaviour towards him;" and he was so indiscreet, as to desire a gentleman, with whom he had no intimacy, and who had a pass to go beyond the seas, and must go through the earl's quarters, "that he would remember his service to the earl of Essex; and assure him, that the army so much desired peace, that it should not be in the



"power of any of those persons about the king to hinder it, if his lordship would treat upon any reasonable propositions." All which kind of carriage and discourses were quickly represented, in their full magnitude, to the king, by the lord Digby; and his majesty's own aversion kindled any spark into a formed distrust. So that after the king came into Cornwall, and had his whole army drawn up on the top of the hill, in view of the earl of Essex, who was in the bottom, and a battle expected every day, upon some new discourse Wilmot made out of pride and vanity, (for there was not, in all the former, the least formed act of sedition in his heart,) the knight marshal, with the assistance of Tom Elliot, who acted the part, arrested him in the king's name of high treason; and dismounted him from his horse in the head of all the troops; and putting a guard upon him, he was presently sent prisoner to Exeter, without any other ill effect, which might very reasonably have been apprehended in such a conjuncture, when he was indeed generally well beloved, and none of them for whose sakes he was thought to be sacrificed, were at all esteemed: yet, I say, there were no other ill effects of it than a little murmur, which vapoured away.

The same day that Wilmot was arrested, the king removed another general officer of his army, the lord Percy; who had been made general of the ordnance upon very partial, and not enough deliberated considerations; and put into that office the lord Hopton; whose promotion was universally approved; the one having no friend, and the other being universally beloved. Besides, the lord Percy (who was the first that had been created a baron at Oxford upon the queen's intercession; which obliged the king to bestow the same honour on more men) had been as much inclined to mutiny as the lord Wilmot; and was much a bolder speaker, and had none of those faculties, which the other had, of reconciling men to him. Yet even his removal added to the ill humour of the army, too much disposed to discontent, and censuring all that was done: for though he was generally unloved, as a proud and supercilious person, yet he had always three or four persons of good credit and reputation, who were esteemed by him, with whom he lived very well; and though he did not draw the good fellows to him by drinking, yet he eat well; which, in the general scarcity of that time, drew many votaries to him; who bore very ill the want of his table, and so were not without some inclination to murmur even on his behalf.

The very next day after these removals, colonel Goring appeared; who had waited upon the king the night before at his quarters, with letters from prince Rupert: and then the army being drawn up, his majesty, attended by the principal officers of the army, rode to every division of the horse, and there declared, "that, at the request of his nephew prince Rupert, and upon his resignation, he made Mr. Goring general of the horse; and commanded them all to obey him; and for the lord Wilmot, although he had, for very good reasons, justly restrained him for the present, yet he had not taken away from him his command in the army;" which declaration visibly raised the countenance of the body of horse, more than the king was pleased with observing: and the very next day the greatest part of the officers delivered

a petition, "that his majesty would give them so much light of the lord Wilmot's crimes, that they might see that themselves were not suspected, who had so long obeyed and executed his orders;" which is manifestation enough of the ill disposition the army was in, when they were even in view of the enemy, and of which the king had so much apprehension, in respect of the present posture he was in, that he was too easily persuaded to give them a draught of the articles, by which he was charged: which though they contained so many indiscretions, vanities, and insolencies, that wise and dispassionate men thought he had been proceeded with very justly, yet generally they seemed not to make him so very black, as he had been represented to be; and when the articles were sent to him, he returned so specious an answer to them, that made many men think he had been prosecuted with severity enough. Yet Wilmot himself, when he saw his old mortal enemy Goring put in the command over him, thought himself incapable of reparation, or a full vindication; and therefore desired leave to retire into France; and had presently a pass sent him to that purpose; of which he made use as soon as he received it; and so transported himself out of the kingdom; which opened the mouths of many, and made it believed, that he had been sacrificed to some faction and intrigue of the court, without any such misdemeanour as deserved it.

The king had, some days before this, found an opportunity to make a trial whether the earl of Essex, from the notorious indignities which he received from the parliament, and which were visible to all the world, or from the present ill condition which he and his army were reduced to, might be induced to make a conjunction with his majesty. The lord Beauchamp, eldest son to the marquiss of Hertford, desired, for the recovery of his health, not then good, to transport himself into France; and to that purpose had a pass from his uncle, the earl of Essex, for himself; monsieur Richaute, a Frenchman, who had been his governor; and two servants, to embark at Plymouth; and being now with the king, it was necessary to pass through the earl's quarters. By him the king vouchsafed to write a letter with his own hand to the earl, in which he told him,

"How much it was in his power to restore that peace to the kingdom, which he had professed always to desire; and upon such conditions, as did fully comply with all those ends for which the parliament had first taken up arms: for his majesty was still ready to satisfy all those ends: but that since the invasion of the kingdom by the Scots, all his overtures of peace had been rejected; which must prove the destruction of the kingdom, if he did not, with his authority and power, dispose those at Westminster to accept of a peace that might preserve it;" with all those arguments, that might most reasonably persuade to a conjunction with his majesty, and such gracious expressions of the sense he would always retain of the service and merit, as were most likely to invite him to it. The king desired, that a pass might be procured for Mr. Harding, one of the grooms of the bedchamber to the prince, a gentleman who had been before of much conversation with the earl, and much loved by him; and the procuring this pass was recommended to monsieur Richaute.

The earl received his nephew very kindly; who delivered the king's letter to him, which he received and read; and being then told by the lord Beauchamp, that monsieur Richaute, who was very well known to him, had somewhat to say to him from the king; the earl called him into his chamber, in the presence only of the lord Beauchamp, and asked him, "if he had any thing to say to him." Richaute told him, "that his principal business was to desire his permission and pass, that Mr. Harding might come to him, who had many things to offer, which, he presumed, would not be unacceptable to him." The earl answered in short, "that he would not permit Mr. Harding to come to him, nor would he have any treaty with the king, having received no warrant for it from the parliament:" upon which, Richaute enlarged himself upon some particulars, which Mr. Harding was to have urged, "of the king's desire of peace, of the concurrence of all the lords, as well those at Oxford, as in the army, in the same desire of preserving the kingdom from a conquest by the Scots;" and other discourse to that purpose; "and of the king's readiness to give him any security for the performance of all he had promised." To all which the earl answered sullenly, "that, according to the commission he had received, he would defend the king's person and posterity; and that the best counsel he could give him was, to go to his parliament."

As soon as the king received this account of his letter, and saw there was nothing to be expected by those addresses, he resolved to push it on the other way, and to fight with the enemy as soon as was possible; and so, the next day, drew up all his army in sight of the enemy; and had many skirmishes between the horse of both armies, till the enemy quitted that part of a large heath upon which they stood, and retired to a hill near the park of the lord Mohun, at Boconnocke; they having the possession of his house, where they quartered conveniently. That night both armies, after they had well viewed each other, lay in the field; and many are of opinion, that if the king had that day vigorously advanced upon the enemy, to which his army was well inclined, though upon some disadvantage of ground, they would have been easily defeated: for the king's army was in good heart, and willing to engage; on the contrary, the earl's seemed much surprised, and in confusion, to see the other army so near them. But such censures always attend such conjunctures, and find fault for what is not done, as well as with that which is done.

The next morning the king called a council, to consider whether they should that day compel the enemy to fight; which was concluded not to be reasonable; and that it was better to expect the arrival of sir Richard Grenvil; who was yet in the west of Cornwall, and had a body of eight thousand horse and foot, as was reported, though they were not near that number. It was hereupon ordered, that all the foot should be presently drawn into the enclosures between Boconnocke and the heath; all the fences to the grounds of that country being very good breastworks against the enemy. The king's head quarter was made at the lord Mohun's house, which the earl of Essex had kindly quitted, when the king's army advanced the day before. The horse were quartered, for the most part, between Liskeard and the sea; and every day

compelled the earl's forces to retire, and to lodge close together; and in this posture both armies lay within view of each other for three or four days. In this time, that inconvenient spirit, that had possessed so many of the horse officers, appeared again; and some of them, who had conferred with the prisoners, who were every day taken, and some of them officers of as good quality as any they had, were persuaded by them, "that all the obstinacy in Essex, in refusing to treat with the king, proceeded only from his jealousy, that when the king had got him into his hands, he would take revenge upon him for all the mischief he had sustained by him; and that if he had any assurance that what was promised would be complied with, he would be quickly induced to treat."

Upon this excellent evidence, these politic contrivers presumed to prepare a letter, that should be subscribed by the general, and all the superior officers of the army; the beginning of which letter was, "that they had obtained leave of the king to send that letter to him." There they proposed, "that he with six officers, whom he should choose, would the next morning meet with their general, and six other officers, as should be appointed to attend him; and if he would not himself be present, that then six officers of the king's army should meet with six such as he should appoint, at any place that should be thought fit; and that they, and every of them, who subscribed the letter, would, upon the honour and reputation of gentlemen and soldiers, with their lives maintain that whatsoever his majesty should promise, should be performed; and that it should not be in the power of any private person whatsoever, to interrupt or hinder the execution thereof." When they had framed this letter between themselves, and shewed it to many others, whose approbation they received, they resolved to present it to the king, and humbly to desire his permission that it might be sent to the earl of Essex.

How unpardonable soever the presumption and insolence in contriving and framing this letter was, and how penal soever it might justly have been to them, yet, when it was presented to his majesty, many who liked not the manner of it, were persuaded by what they were told, that it might do good; and in the end they prevailed with the king to consent that the officers should sign it; and that the general should send a trumpet with it; his majesty at the same time concluding, that it would find no better reception than his own letter had done; and likewise believing, that the rejecting of it would purge that unruly spirit out of his army, and that he should never more be troubled with those vexatious addresses, and that it might add some spirit and animosity to the officers and soldiers, when they should see, with how much neglect and contempt the earl received their application: and so prince Maurice, general Goring, and all the superior officers of the army, signed the letter; which a trumpet delivered to the earl of Essex; who, the next day, returned his answer to them in these words: "My lords, in the beginning of your letter you express by what authority you send it; I having no authority from the parliament, who have employed me, to treat, cannot give way to it without breach of trust. My lords, I am your humble servant, Essex."

"Listithiel, Aug. 10, 1644." This short surly answer produced the effect the king wished and expected; they who had been so over active in contriving the address, were most ashamed of their folly; and the whole army seemed well composed to obtain that by their swords, which they could not by their pen.

Sir Richard Greenvil was now come up to the post where he should be; and, at Bodmin, in his march, had fallen upon a party of the earl's horse, and killed many, and taken others prisoners, and presented himself to the king at Boconnocke; giving his majesty an account of his proceedings, and a particular of his forces; which, after all the high discourses, amounted really but to eighteen hundred foot, and six hundred horse; above one hundred of which were of the queen's troop, (left behind when her majesty embarked for France,) under the command of captain Edward Bret; who had done very good service in the western parts of that county, from the time of the queen's departure, and much confirmed the trained bands of those parts. This troop was presently added to the king's guards under the lord Bernard Stewart, and captain Bret was made major of that regiment.

Though the earl of Essex had but strait and narrow room for his quarters for so great an army of horse and foot, yet he had the good town of Foy and the sea to friend; by which he might reasonably assure himself of store of provisions, the parliament ships having all the jurisdiction there; and so, if he preserved his post, which was so situated that he could not be compelled to fight without giving him great advantage, he might well conclude, that Waller, or some other force sent from the parliament, would be shortly upon the king's back, as his majesty was upon his: and no question, this rational confidence was a great motive to him to neglect all overtures made to him by the king; besides the punctuality and stubbornness of his own nature; which whosoever was well acquainted with, might easily have foreseen, what effect all those applications would have produced. It was therefore now resolved to make his quarters yet straiter, and to cut off even his provisions by sea, or a good party thereof. To which purpose sir Richard Greenvil drew his men from Bodmin, and possessed himself of Lanhetherick, a strong house of the lord Roberts, two miles west of Boconnocke, and over the river that runs to Listithiel, and thence to Foy, and likewise to Reprime Bridge; by which the enemy was not only deprived of that useful outlet, but a safe communication made between him and the king's army, which was before interrupted. And on the other side, which was of more importance, sir Jacob Ashley, with a good party of horse and foot, made himself master of View-Hall, another house of the lord Mohun's, over against Foy, and of Pernon Fort, a mile below it, at the mouth of the haven; both which places he found so tenable, that he put captain Page into one, and captain Garraway into the other, with two hundred commanded men, and two or three pieces of ordnance; which these two captains made good, and defended so well, that they made Foy utterly useless to Essex, save for the quartering his men; not suffering any provisions to be brought in to him from the sea that way. And it was exceedingly wondered at by all men, that he, being so long

possessed of Foy, did not put strong guards into those places; by which he might have prevented his army's being brought into those extreme necessities they shortly after fell into; which might easily be foreseen, and as easily, that way, have been prevented.

Now the king had leisure to sit still, and warily to expect what invention or stratagem the earl would make use of, to make some attempt upon his army, or to make his own escape. In this posture both armies lay still, without any notable action, for the space of eight or ten days; when the king, seeing no better fruit from all that was hitherto done, resolved to draw his whole army together, and to make his own quarters yet much nearer, and either to force Essex to fight, or to be uneasy even in his quarters. And it was high time to do so: for it was now certain, that either Waller himself, or some other forces, were already upon their march towards the west. With this resolution the whole army advanced in such a manner, that the enemy was compelled still to retire before them, and to quit their quarters; and, among the rest, a rising ground called Beacon-Hill; which they no sooner quitted, than the king possessed; and immediately caused a square work to be there raised, and a battery made, upon which some pieces of cannon were planted, that shot into their quarters, and did them great hurt; when their cannon, though they returned twenty shot for one, did very little or no harm.

And now the king's forces had a full prospect over all the other's quarters; saw how all their foot and horse were disposed, and from whence they received all their forage and provisions: which when clearly viewed and observed, Goring was sent with the greatest part of the horse, and fifteen hundred foot, a little westward to St. Blase, to drive the enemy yet closer together, and to cut off the provisions they received from thence; which was so well executed, that they did not only possess themselves of St. Austel, and the westerly part of St. Blase, (so that the enemy's horse was reduced to that small extent of earth that is between the river of Foy and that at Blase, which is not above two miles in breadth, and little more in length; in which they had for the most part fed since they came to Listithiel, and therefore it could not now long supply them,) but likewise were masters of the Parr near St. Blase; whereby they deprived them of the chief place of landing the provisions which came by sea. And now the earl began to be very sensible of the ill condition he was in, and discerned that he should not be able long to remain in that posture; besides, he had received advertisement that the party which was sent for his relief from London, had received some brush in Somersetshire, which would much retard their march; and therefore it behoved him to enter upon new counsels, and to take new resolutions.

It is very true the defeat at Cropredy (in which there did not appear to be one thousand men killed, or taken prisoners) had so totally broken Waller's army, that it could never be brought to fight after: but when he had marched at a distance from the king, to recover the broken spirits of his men, and heard that his majesty was marched directly towards the west, observing likewise that every night very many of his men run from him, he thought it necessary to go himself to London,

where he made grievous complaints against the earl of Essex, as if he had purposely exposed him to be affronted; all which was greedily hearkened to, and his person received, and treated, as if he had returned victorious after having defeated the king's army: which was a method very contrary to what was used in the king's quarters, where all accidental misfortunes, how inevitable soever, were still attended with very apparent discountenance.

But when he went himself to London, or presently upon it, he sent his lieutenant general Middleton (a person of whom we shall say much hereafter, and who lived to wipe out the memory of the ill footsteps of his youth; for he was but eighteen years of age when he was first led into rebellion) with a body of three thousand horse and dragoons, to follow the king into the west, and to wait upon his rear, with orders to reduce in his way Donnington-castle, the house of a private gentleman near Newbury, in which there were a company or two of foot of the king's; and which they believed would be delivered up as soon as demanded; being a place, as they thought, of little strength. But Middleton found it so well defended by colonel Bois, who was governor of it, that, after he had lost at least three hundred officers and soldiers in attempting to take it, he was compelled to recommend it to the governor of Abingdon, to send an officer and some troops to block it up from infesting that great road into the west; and himself prosecuted his march to follow the king.

In Somersetshire, he heard of great magazines of all provisions, made for the supply of the king's army, which were sent every day by strong convoys to Exeter, there to wait farther orders. To surprise these provisions he sent major Carr, with five hundred horse; who fell into the village where the convoy was, and was very like to have mastered them, when sir Francis Doddington, with a troop of horse, and some foot from Bridgewater, came seasonably to their relief, and after a very sharp conflict, in which two or three good officers of the king's were killed, and among them major Killigrew, a very hopeful young man, the son of a gallant and most deserving father, he totally routed the enemy; killed thirty or forty upon the place; and had the pursuit of them two or three miles; in which major Carr, who commanded the party, and many other officers, were taken; and many others desperately wounded; and recovered all that they had taken: which sharp encounters, where always many more men are lost, than are killed, or taken prisoners, put such a stop to Middleton's march, that he was glad to retire back to Sherborne, that he might refresh the weariness, and recover the spirits of his men. This was the defeat, or obstruction, which the earl of Essex had intelligence that the forces had met with coming to his relief; and which made him despair of any succour that way.

When the earl found himself in this condition, and that, within very few days, he must be without any provisions for his army; he resolved, that sir William Balfour should use his utmost endeavour to break through with his whole body of horse, and to save them the best he could; and then that he himself would embark his foot at Foy, and with them escape by sea. And two foot soldiers of the army, whereof one was a Frenchman, came over

from them, and assured the king, "that they intended, that night, to break through with their horse, which were all then drawn on that side the river, and town of Listithiel; and that the foot were to march to Foy, where they should be embarked." This intelligence agreed with what they otherwise received, and was believed as it ought to be; and thereupon order was given, "that both armies" (for that under prince Maurice was looked upon as distinct, and always so quartered) "should stand to their arms all that night; and if the horse attempted an escape, fall on them from both quarters;" the passage between them, through which they must go, being but a musket-shot over; and they could not avoid going very near a very little cottage, that was well fortified; in which fifty musketeers were placed. Advertisement was sent to Goring, and all the horse; and the orders renewed, which had formerly been given, for the breaking down the bridges, and cutting down the trees near the highway, to obstruct their passage.

The effect of all this providence was not such as was reasonably to be expected. The night grew dark and misty, as the enemy could wish; and about three in the morning, the whole body of the horse passed with great silence between the armies, and within pistol-shot of the cottage, without so much as one musket discharged at them. At the break of day, the horse were discovered marching over the heath, beyond the reach of the foot; and there was only at hand the earl of Cleveland's brigade, the body of the king's horse being at a greater distance. That brigade, to which some other troops which had taken the alarm joined, followed them in the rear; and killed some, and took more prisoners: but stronger parties of the enemy frequently turning upon them, and the whole body often making a stand, they were often compelled to retire; yet followed in that manner, that they killed and took about a hundred; which was the greatest damage they sustained in their whole march. The notice and orders came to Goring, when he was in one of his jovial exercises; which he received with mirth, and slighting those who sent them, as men who took alarms too warmly; and he continued his delights, till all the enemy's horse were passed through his quarters; nor did then pursue them in any time. So that, excepting such who, by the tiring of their horses, became prisoners, Balfour continued his march even to London, with less loss or trouble than can be imagined, to the infinite reproach of the king's army, and of all his garrisons in the way. Nor was any man called in question for this supine neglect; it being not thought fit to make severe inquisition into the behaviour of the rest, when it was so notoriously known, how the superior officer had failed in his duty.

The next morning, after the horse were gone, the earl drew all his foot together, and quitted Listithiel, and marched towards Foy; having left order for the breaking down that bridge. But his majesty himself from his new fort discerned it, and sent a company of musketeers, who quickly beat those that were left; and thereby preserved the bridge; over which the king presently marched to overtake the rear of the army, which marched so fast, yet in good order, that they left two demi-culverins, and two other very good guns, and some ammunition, to be disposed of by the king. That day was spent

in smart skirmishes, in which many fell; and if the king's horse had been more, whereof he had only two troops of his guards, (which did good service,) it would have proved a bloody day to the enemy. The night coming on, the king lay in the field, his own quarters being so near the enemy, that they discharged many cannon-shot, which fell within few yards of him, when he was at supper. Sunday being the next day, and the first day of September, in the morning, Butler, lieutenant colonel to the earl of Essex, who had been taken prisoner at Boconnock, and was exchanged for an officer of the king's, came from the earl to desire a parley. As soon as he was sent away, the earl embarked himself, with the lord Roberts, and such other officers as he had most kindness for, in a vessel at Foy; and so escaped into Plymouth; leaving all his army of foot, cannon, and ammunition, to the care of major general Skippon; who was to make as good conditions for them as he could; and after a very short stay in Plymouth, he went on board a ship of the royal navy, that attended there; and was, within few days, delivered at London; where he was received without any abatement of the respect they had constantly paid him; nor was it less than they could have shewed to him, if he had not only brought back his own army, but the king himself likewise with him.

The king consented to the parley; upon which a cessation was concluded; and hostages interchangeably delivered; and then the enemy sent propositions, such as upon delivery of a strong fortified town, after a handsome defence, are usually granted. But they quickly found they were not looked upon as men in that condition; and so, in the end, they were contented to deliver up all their cannon; which, with the four taken two or three days before, were eight and thirty pieces of cannon; a hundred barrels of powder, with match and bullets proportionable; and about six thousand arms; which being done, "the officers were to have liberty "to wear their swords, and to pass with their own "money, and proper goods; and, to secure them "from plunder, they were to have a convoy to "Poole, or Southampton; all their sick and wounded "might stay in Foy till they were recovered, and "then have passes to Plymouth."

This agreement was executed accordingly, on Monday the second of September; and though it was near the evening before all was finished, they would march away that night; and though all care was taken to preserve them from violence, yet first at Listithiel, where they had been long quartered, and in other towns through which they had formerly passed, the inhabitants, especially the women, who pretended to see their own clothes and goods about them, which they had been plundered of, treated them very rudely, even to stripping of some of the soldiers, and more of their wives, who had before behaved themselves with great insolence in the march. That night there came about one hundred of them to the king's army, and of the six thousand, for so many marched out of Foy, there did not a third part come to Southampton; where the king's convoy left them; to which Skippon gave a large testimony under his hand, "that they "had carried themselves with great civility to- "wards them, and fully complied with their obli- "gation."

Whilst the king was in the west, (though he had left Oxford in a very ill state in respect of provi-

sions and fortifications, and soldiers, and of the different humours of those who remained there, the town being full of lords, (besides those of the council,) and of persons of the best quality, with very many ladies, who, when not pleased themselves, kept others from being so; yet, in his absence, they who were solicitous to carry on his service, concurred and agreed so well together, that they prevailed with the rest to do every thing that was necessary. They caused provisions of corn to be laid in, in great proportions; assigning the public schools to that purpose; and committing the custody of them to the owners of the corn. They had raised so many volunteers, that their guards were well kept, and there was need they should be so; for when both the parliament armies were before the town, major general Brown, a citizen of London of good reputation, and a stout man, had been left in Abingdon with a strong garrison; from whence, being superior in power, he infested Oxford very much; which gave them the more reason to prosecute the fortifications; which, in the most important places, they brought to a good perfection; and when they had no more apprehension of a siege, Waller being at a distance, and not able to follow the king, and less able to sit down before Oxford, they resolved to do somewhat to be talked of.

The king had, before his departure, found they were not satisfied with their governor, and very apprehensive of his rudeness, and incomplacency. Upon the death of sir William Penniman, who had been governor of Oxford, to the great satisfaction of all men, being a very brave and generous person, and who performed all manner of civilities to all sorts of people, as having had a very good education, and well understanding the manners of the court, (the queen being then in Oxford,) her majesty, who thought herself the safer for being under the charge and care of a Roman catholic, prevailed with the king to confer that charge upon sir Arthur Aston; who had been at Reading, and had the fortune to be very much esteemed, where he was; and he was by this time too well known at Oxford, to be beloved by any; which the king well understood, and was the more troubled, because he saw the prejudice was universal, and with too much reason; and therefore his majesty had given an extraordinary commission to the lords of his council, to whose authority he was to submit, which obliged him to live with a little more respect towards them, than he desired to do; being a man of a rough nature, and so given up to an immoderate love of money, that he cared not by what unrighteous ways he exacted it. There were likewise some officers of name, who, having then no charge in the army, stayed in the town; and those, by the king's direction, the lords disposed to assist the governor; and particularly, to take care of the several quarters of the town; one whereof was assigned to each of them: amongst them, colonel Gage was one; who having the English regiment in Flanders, had got leave there to make offer of his service to the king; and to that purpose was newly come from thence to Oxford; and was indeed a man of extraordinary parts, both as a soldier and a wise man; of whom there will be hereafter more occasion to enlarge.

He was in truth a very extraordinary man, of a large and very graceful person, of an honourable

extraction, his grandfather having been knight of the garter; besides his great experience and abilities as a soldier, which were very eminent, he had very great parts of breeding, being a very good scholar in the polite parts of learning, a great master in the Spanish and Italian tongues, besides the French and the Dutch, which he spoke in great perfection; having scarce been in England in twenty years before. He was likewise very conversant in courts; having for many years been much esteemed in that of the archduke and duchess, Albert and Isabella, at Brussels; which was a great and very regular court at that time; so that he deserved to be looked upon as a wise and accomplished person. Of this gentleman, the lords of the council had a singular esteem, and consulted frequently with him, whilst they looked to be besieged; and thought Oxford to be the more secure for his being in it; which rendered him so ungrateful to the governor, sir Arthur, that he crossed him in any thing he proposed, and hated him perfectly; as they were of natures, and manners, as different as men can be.

The garrison of Basing-house, the seat of the marquis of Winchester, in which himself was and commanded, had been now straitly besieged, for the space of above three months, by a conjunction of the parliament troops of Hampshire and Sussex, under the command of Norton, Onslow, Jarvis, Whitehead, and Morley, all colonels of regiments, and now united in this service under the command of Norton; a man of spirit, and of the greatest fortune of all the rest. It was so closely begirt before the king's march into the west, and was looked upon as a place of such importance, that when the king sent notice to Oxford of his resolution to march into the west, the council humbly desired his majesty, "that he would make Basing his way, and thereby relieve it," which his majesty found would have retarded his march too much, and might have invited Waller the sooner to follow him; and therefore declined it. From that time, the marquis, by frequent expresses, importuned the lords of the council "to provide, in some manner, for his relief; and not to suffer his person, and a place from whence the rebels received so much prejudice, to fall into their hands." The lady marchioness, his wife, was then in Oxford; and solicited very diligently the timely preservation of her husband; which made every body desire to gratify her, being a lady of great honour and alliance, as sister to the earl of Essex, and to the lady marchioness of Hertford; who was likewise in the town, and engaged her husband to take this business to heart: and all the Roman catholics, who were numerous in the town, looked upon themselves as concerned to contribute all they could to the good work, and so offered to list themselves and their servants in the service.

The council, both upon public and private motives, was very heartily disposed to effect it; and had several conferences together, and with the officers; in all which the governor too reasonably opposed the design, "as full of more difficulties, and liable to greater damages, than any soldier, who understood command, would expose himself and the king's service to;" and protested, "that he would not suffer any of the small garrison that was under his charge to be hazarded in the attempt." It was very true, Basing was near

forty miles from Oxford, and, in the way between them, the enemy had a strong garrison of horse and foot at Abingdon, and as strong at Reading, whose horse every day visited all the highways near, besides a body of horse and dragoons quartered at Newbury; so that it appeared to most men hardly possible to send a party to Basing, and impossible for that party to return to Oxford, if they should be able to get to Basing: yet new importunities from the marquis, with a positive declaration, "that he could not defend it above ten days, and must then submit to the worst conditions the rebels were like to grant to his person, and to his religion;" and new instances from his lady prevailed with the lords to enter upon a new consultation; in which the governor persisted in his old resolution, as seeing no cause to change it.

In this debate colonel Gage declared, "that though he thought the service full of hazard, especially for the return; yet if the lords would, by listing their own servants, persuade the gentlemen in the town to do the like, and engage their own persons, whereby a good troop or two of horse might be raised, (upon which the principal dependence must be,) he would willingly, if there were nobody else thought fitter for it, undertake the conduct of them himself; and hoped he should give a good account of it:" which being offered with great cheerfulness by a person, of whose prudence, as well as courage, they had a full confidence, they all resolved to do the utmost that was in their power to make it effectual.

There was about this time, by the surrender of Greenland-house, (which could not possibly be longer defended, the whole structure being beaten down by the cannon,) the regiment of colonel Hawkins marched into Oxford, amounting to near three hundred; to which as many others joined as made it up four hundred men. The lords mounted their servants upon their own horses; and they, with the volunteers, who frankly listed themselves, amounted to a body of two hundred and fifty very good horse, all put under the command of colonel William Web, an excellent officer, bred up in Flanders in some emulation with colonel Gage; and who, upon the catholic interest, was at this time contented to serve under him. With this small party for so great an action, Gage marched out of Oxford in the beginning of the night; and, by the morning, reached the place where he intended to refresh himself and his troops; which was a wood near Wallingford; from whence he despatched an express to sir William Ogle, governor of Winchester; who had made a promise to the lords of the council, "that, whensoever they would endeavour the raising of the siege before Basing, he would send one hundred horse and three hundred foot out of his garrison, for their assistance;" and a presumption upon this aid was the principal motive for the undertaking; and so he was directed, at what hour in the morning his party should fall into Basing park, in the rear of the rebels' quarters; whilst Gage himself would fall on the other side; the marquis being desired at the same time to make frequent sallies from the house.

After some hours of refreshment in the morning, and sending this express to Winchester, the troops marched through by-lanes to Aldermaston,

a village out of any great road; where they intended to take more rest that night. They had marched, from the time they left Oxford, with orange-tawny scarfs and ribbons, that they might be taken for the parliament soldiers; and hoped, by that artifice to have passed undiscovered even to the approach upon the besiegers. But the party of horse which was sent before to Aldermaston, found there some of the parliament horse, and, forgetting their orange-tawny scarfs, fell upon them; and killed some, and took six or seven prisoners; whereby the secret was discovered, and notice quickly sent to Basing of the approaching danger; which accident made their stay shorter at that village than was intended, and than the weariness of the soldiers required. About eleven of the clock, they begun their march again; which they continued all that night; the horsemen often alighting, that the foot might ride, and others taking many of them behind them; however they could not but be extremely weary and surbated.

Between four and five of the clock on Wednesday morning, it having been Monday night that they left Oxford, they arrived within a mile of Basing; where an officer, sent from sir William Ogle, came to them to let them know, "that he durst not send his troops so far, in regard many of the enemy's horse lay between Winchester and Basing." This broke all the colonel's measures; and, since there was no receding, made him change the whole method of his proceedings; and, instead of dividing his forces, and falling on in several places, as he meant to have done if the Winchester forces had complied with their obligation, or if his march had been undiscovered, he resolved now to fall on jointly with all his body in one place; in order to which, he commanded the men to be ranged in battalions; and rid to every squadron, giving them such words as were proper to the occasion; which no man could more pertinently deliver, or with a better grace: he commanded every man to tie a white tape ribbon, or handkerchief, above the elbow of their right arm; and gave them the word *St. George*; which was the sign and the word that he had sent before to the marquis, lest in his sallies their men, for want of distinction, might fall foul of each other.

Thus they marched towards the house, colonel Web leading the right wing, and lieutenant colonel Bunkly the left of the horse; and Gage himself the foot. They had not marched far, when at the upper end of a large campaign field, upon a little rising of an hill, they discerned a body of five cornets of horse very full, standing in very good order to receive them. But before any impression could be made upon them, the colonel must pass between two hedges lined very thick with musketeers; from whom the horse very courageously bore a smart volley, and then charged the enemy's horse so gallantly, that, after a shorter resistance than was expected from the known courage of Norton, though many of his men fell, they gave ground; and at last plainly run to a safe place, beyond which they could not be pursued. The foot disputed the business much better, and being beaten from hedge to hedge, retired into their quarters and works; which they did not abandon in less than two hours; and then a free entrance into the house was gained on that side, where the colonel only stayed to salute the marquis, and to put in the ammunition he had brought with him; which was

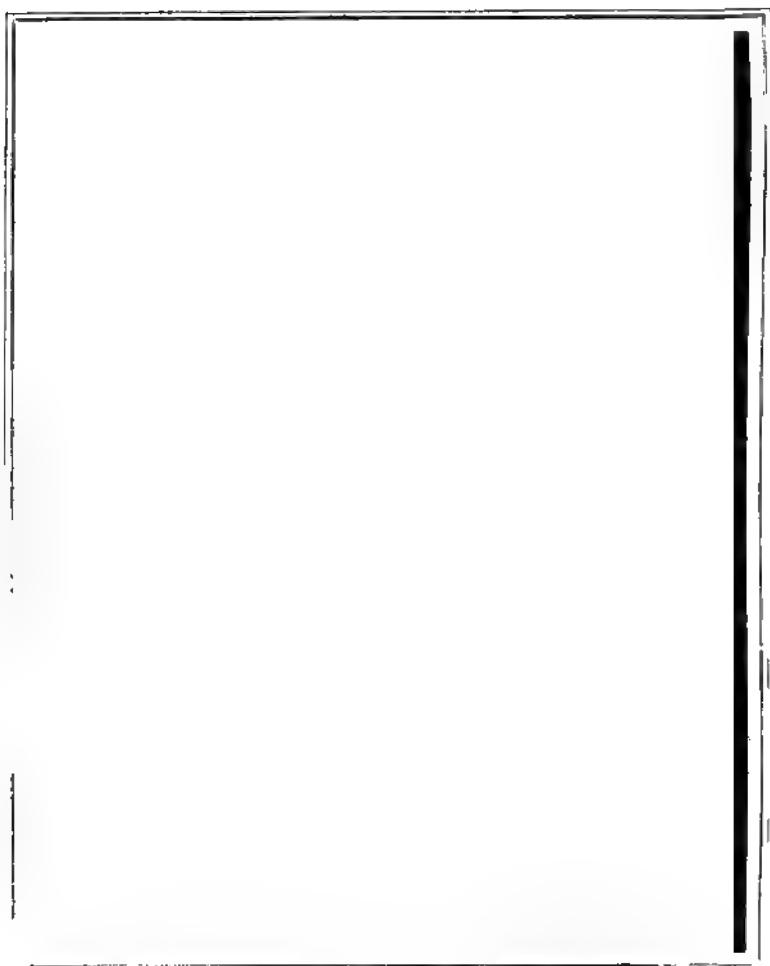
only twelve barrels of powder, and twelve hundred weight of match; and immediately marched with his horse and foot to Basingstoke, a good market-town two miles from the house; leaving one hundred foot to be led, by some officers of the garrison, to the town of Basing, a village but a mile distant. In Basingstoke they found store of wheat, malt, oats, salt, bacon, cheese, and butter; as much of which was all that day sent to the house, as they could find carts or horses to transport, together with fourteen barrels of powder, and some muskets, and forty or fifty head of cattle, with above one hundred sheep: whilst the other party, that went to Basing town, beat the enemy that was quartered there, after having killed forty or fifty of them; some fled into the church, where they were quickly taken prisoners; and, among them, two captains, Jarvis and Jephson, the two eldest sons of two of the greatest rebels of that country, and both heirs to good fortunes, who were carried prisoners to Basing-house; the rest, who besieged that side, being fled into a strong fort which they had raised in the park. The colonel spent that and the next day in sending all manner of provisions into the house; and then, reasonably computing that the garrison was well provided for two months, he thought of his retreat to Oxford: which it was time to do: for besides that Norton had drawn all his men together, who had been dismayed, with all the troops which lay quartered within any distance, and appeared within sight of the house more numerous and gay than before, as if he meant to be revenged before they parted; he was likewise well informed by the persons he had employed, that the enemy from Abingdon had lodged themselves at Aldermaston, and those from Reading and Newbury, in two other villages upon the river Kennet; over which he was to pass.

Hereupon, that he might take away the apprehension that he meant suddenly to depart, he sent out orders, which he was sure would come into the enemy's hands, to two or three villages next the house, "that they should, by the next day noon, send such proportions of corn into Basing-house, as were mentioned in the warrants; upon pain, if they failed by the time, to have a thousand horse and dragoons sent to fire the towns." This being done, and all his men drawn together about eleven of the clock at night, Thursday the second night after he came thither, the marquis giving him two or three guides who knew the country exactly, he marched from Basing without sound of drum or trumpet, and passed the Kennet, undiscovered, by a ford near a bridge which the enemy had broke down; and thereby thought they had secured that passage; the horse taking the foot *en croupe*; and then, marching by-ways, in the morning they likewise passed over the Thames, at a ford little more than a mile from Reading; and so escaped the enemy, and got before night to Wallingford; where he securely rested, and refreshed his men that night; and the next day arrived safe at Oxford; having lost only two captains, and two or three other gentlemen, and common men; in all to the number of eleven; and forty or fifty wounded, but not dangerously. What number the enemy lost could not be known; but it was believed they lost many, besides above one hundred prisoners that were taken; and it was confessed, by enemies as well as friends, that it was as soldierly an action as had been per-









Engraved by J. B. H. H. H.

**JOHN POWLETT, MARQUIS OF WINCHESTER.**

**OB 1674**

**FROM THE ORIGINAL OF PETER OLIVER IN THE COLLECTION OF**

**THE MOST NOBLE THE MARQUIS OF WINCHESTER**



formed in the war on either side; and redounded very much to the reputation of the commander.

The next day after the army of Essex was gone, and dissolved, the king returned to his quarters at Boconnocke, and stayed there only a day to refresh his men; having sent, the day before, Greenville, with the Cornish horse and foot, towards Plymouth, to join with Goring in the pursuit of Balfour, and that body of horse; which, by passing over the bridge near Salt-ash, they might easily have done. But he slackened his march that he might possess Salt-ash, which the enemy had quitted, and left therein eleven pieces of cannon, with some arms and ammunition; which, together with the town, was not worth his unwarrantable stay. This kept him from joining with Goring; who thereby, and for want of those foot, excused his not fighting with Balfour when he was within distance; but contented himself with sending a commanded party to follow his rear; and in that too eager a pursuit, captain Samuel Wainman, a young man of extraordinary parts and expectation, the son of a very wise and eminent father, was lost, to the irreparable damage of a noble family. Thus Balfour, by an orderly and well governed march, passed above one hundred miles in the king's quarters, as hath been said before, without any considerable loss, to a place of safety within their own precincts.

The fear and apprehension of the enemy was no sooner over, than the murmur begun, "that the king had been persuaded to grant too good conditions to that body of foot; and that he might well have forced them to have submitted to his mercy, as well as to have laid down their arms; and so have made both officers and soldiers to become prisoners of war: by which the enemy would not have been able so soon to have raised another army." But they who undertook to censure that action, how great a number soever they were, did not at all understand the present temper and constitution of the king's army; which then was not near so strong as it was reputed to be. Whatever it might have done by a brisk and vigorous attempt, when it first entered Cornwall, which was in the beginning of August, and when a party of his majesty's horse surprised and seized the earl of Essex's own lieutenant colonel, and many other officers of name at Boconnocke, before his majesty was suspected to be in any near distance: I say, whatever might have been then done, in that consternation the enemy was then in, the case was very much altered in the beginning of September, when the articles were made; and when the number of the foot who laid down their arms was in truth superior to those of the king's, (as it will appear anon,) when his army marched out of Cornwall. The oversight, which was a great one, was on the other side, when their horse broke through. If they had then known, and it was hardly possible they should not know it, that all the king's horse, his guard only excepted, were at that time quartered behind them, about St. Blase, their foot might very well have marched away with their horse, their cannon only being left behind, and having got but four or five hours before, which they might easily, and as undiscerned have done, the king's army in the condition and state it was in, naked and unshod, would through those enclosed parts, narrow lanes, and deep ditches, in Devon and Somerset, have been able to have done

them little harm: besides the king very well knew at the time the articles were made, that Middleton, notwithstanding all his affronts, was then come to Tiverton; and therefore there can be no doubt, that his majesty, in those condescensions, proceeded with no less prudence than clemency.

After this great victory, the king thought fit to renew his offer of peace; and sent a message to the two houses of parliament, to desire that there might be a treaty to that purpose; which message was sent by a trumpet to the earl of Essex, after his repair to London, to be delivered by him, of which there was no consideration taken in three months after the receipt of it. This done, the king was persuaded, in his way (as it was not much out of it) to look upon Plymouth; for so far it might be presumed that the Cornish troops, how impatient soever they were to be at their harvest, would attend him: and if he could, by appearing before it, become master of it, which was not thought improbable, he would return to Oxford in great triumph, and leave the west thoroughly reduced; for then Lyme could not hold out, and he might be sure to carry an army with him strongly recruited; but if it proved not a work of ease and expedition, he might proceed in his march without farther stay; and he quickly found it necessary to do so; having sent a summons to the town, and received a rude answer to it: for the earl of Essex had left the lord Roberts governor in that town; a man of a sour and surly nature, a great opiniâtre, and one who must be overcome before he would believe that he could be so. The king, finding no good could be done with him, and that the reducing the town would require some time, pursued his former resolution, and marched away; having committed the blocking up of Plymouth to sir Richard Greenville, a man who had been bred a soldier, and of great expectation, but of greater promises; having with all manner of assurance undertaken to take the town by Christmas, if such conditions might be performed to him, all which were punctually complied with; whilst he made his quarters as far as ever they had been formerly from the town; beginning his war first upon his wife, who had been long in possession of her own fortune, by virtue of a decree in chancery, many years before the troubles; and seizing upon all she had, and then making himself master of all their estates who were in the service of the parliament, without doing any thing of importance upon the town; only upon the first message between the lord Roberts and him, there arose so mortal a misunderstanding, that there was never civility or quarter observed between them; but such as were taken on either side between them were put to the sword, or, which was worse, to the halter.

Since there will be often occasion to mention this gentleman, sir Richard Greenville, in the ensuing discourse, and because many men believed, that he was hardly dealt with in the next year, where all the proceedings will be set down at large, it will not be unfit, in this place, to say somewhat of him, and of the manner and merit of his entering into the king's service some months before the time we are now upon. He was of a very ancient and worthy family in Cornwall, which had, in several ages, produced men of great courage, and very signal in their fidelity to, and service of, the crown; and was himself younger brother (though in his nature, or humour, not of kin

to him) to the brave sir Bevil Greenvil, who so courageously lost his life in the battle of Lansdown. Being a younger brother, and a very young man, he went into the Low Countries to learn the profession of a soldier; to which he had dedicated himself under the greatest general of that age, prince Maurice, and in the regiment of my lord Vere, who was general of all the English. In that service he was looked upon as a man of courage, and a diligent officer, in the quality of a captain, to which he attained after few years' service. About this time, in the end of the reign of king James, the war broke out between England and Spain; and in the expedition to Cales, this gentleman served as a major to a regiment of foot, and continued in the same command, in the war that soon after followed against France; and, at the Isle of Rhee, insinuated himself into the very good grace of the duke of Buckingham, who was the general in that invasion; and after the unfortunate retreat from thence, was made colonel of a regiment with general approbation, and as an officer that well deserved it.

His credit every day increased with the duke; who, out of the generosity of his nature, as a most generous person he was, resolved to raise his fortune; towards the beginning whereof, by his countenance and solicitation, he prevailed with a rich widow to marry him, who had been a lady of extraordinary beauty, which she had not yet outlived; and though she had no great dower by her husband, a younger brother of the earl of Suffolk; yet she inherited a fair fortune of her own, near Plymouth; and was besides very rich in a personal estate, and was looked upon as the richest marriage of the west. This lady, by the duke's credit, sir Richard Greenvil (for he was now made a knight and baronet) obtained; and was thereby possessed of a plentiful estate upon the borders of his own country; and where his own family had great credit and authority. The war being shortly at an end, and he deprived of his great patron, had nothing now to depend upon but the fortune of his wife; which, though ample enough to have supported the expense a person of his quality ought to have made, was not large enough to satisfy his vanity and ambition; nor so great, as he, upon common reports, had promised himself by her. By not being enough pleased with her fortune, he grew less pleased with his wife; who, being a woman of a haughty and imperious nature, and of a wit superior to his, quickly resented the disrespect she received from him; and in no degree studied to make herself easy to him. After some years spent together in these domestic unsociable contestations, in which he possessed himself of all her estate, as the sole master of it, without allowing her, out of her own, any competency for herself, and indulged to himself all those licenses in her own house, which to women are most grievous, she found means to withdraw herself from him; and was with all kindness received into that family, in which she had before been married, and was always very much respected.

Her absence was not ingrateful to him, till the tenants refused to pay him any more rent, and he found himself on a sudden deprived of her whole estate, which was all he had to live upon: for it appeared now, that she had, before her marriage with him, settled her entire fortune so absolutely upon the earl of Suffolk, that the present right was

in him, and he required the rents to be paid to him. This begat a suit in the chancery between sir Richard Greenvil and the then earl of Suffolk, before the lord Coventry, who found the conveyances in law to be so firm, that he could not only not relieve sir Richard Greenvil in equity, but that in justice he must decree the land to the earl; which he did. This very sensible mortification transported him so much, that, being a man who used to speak very bitterly of those he did not love, after all endeavours to have engaged the earl in a personal conflict, he revenged himself upon him in such opprobrious language, as the government and justice of that time would not permit to pass unpunished; and the earl appealed for reparation to the court of star-chamber; where sir Richard was decreed to pay three thousand pounds for damages to him; and was likewise fined the sum of three thousand pounds to the king; who gave the fine likewise to the earl: so that sir Richard was committed to the prison of the Fleet in execution for the whole six thousand pounds; which at that time was thought by all men to be a very severe and rigorous decree, and drew a general compassion towards the unhappy gentleman.

After he had endured many years of strict imprisonment, a little before the beginning of the late troubles, he made his escape out of the prison; and transporting himself beyond the seas, remained there till the parliament was called that produced so many miseries to the kingdom; and when he heard that many decrees which had been made, in that time, by the court of star-chamber, were repealed, and the persons grieved, absolved from those penalties, he likewise returned, and petitioned to have his cause heard; for which a committee was appointed; but before it could be brought to any conclusion, the rebellion broke out in Ireland. Among the first troops that were raised, and transported for the suppression thereof, by the parliament, (to whom the king had unhappily committed the prosecution thereof,) sir Richard Greenvil, upon the fame of being a good officer, was sent over with a very good troop of horse; and was major of the earl of Leicester's own regiment of horse, and was very much esteemed by him, and the more by the parliament, for the signal acts of cruelty he did every day commit upon the Irish; which were of so many kinds upon both sexes, young and old, hanging old men who were bedrid, because they would not discover where their money was, that he believed they had; and old women, some of quality, after he had plundered them, and found less than he expected; that they can hardly be believed, though notoriously known to be true.

After the cessation was made in Ireland, he pretended that his conscience would not give him leave to stay there, and was much the more welcome to the parliament, for declaring so heartily against that cessation; and sir William Waller being in the beginning of this year to make his expedition into the west, after the battle of Alresford, sir Richard Greenvil was either commended to him, or invited by him, to command the horse under him; which he cheerfully accepted, not without many insinuations, how much his interest in Devonshire and Cornwall would advance theirs. He received from the parliament a great sum of money, for the making his equipage; in which he

always affected more than ordinary lustre; and sir William Waller communicated to him all his designs, with the ground and foundation of them, as to an entire friend, and an officer of that eminence, [by] whose advice he meant to govern his own conduct.

His first and principal design was to surprise Basing-house, by a correspondence with the lord Edward Pawlet, brother to the marquis of Winchester, and then with him, as unsuspected as a brother ought to be. And for the better execution of this, sir Richard Greenvil was sent before with a body of the horse, that all things might be well disposed, and prepared against the time Waller himself should come to him. He appointed a rendezvous for the horse at Bagshot, and the same day marched out of London only with his equipage; which was very noble; a coach and six horses, a waggon and six horses, many led horses, and many servants: with those, when he came to Stanes, he left the Bagshot-road, and marched directly to Reading, where the king's garrison then was; and thence, without delay, to Oxford, where he was very graciously received by the king, and the more, because he was not expected. He communicated then to the king the whole design of the surprise of Basing; upon which the king sent an express immediately to the marquis, with all the particular informations; who thereupon seized upon his brother, and the other conspirators; who confessed all, with all the circumstances of the correspondence and combination. The marquis prevailed with the king, that he might only turn his brother out of the garrison, after justice was done upon his complices. This very happy and seasonable discovery preserved that important place; which, without it, had infallibly been lost within few days, and therefore could not but much endear the person of the discoverer; upon whom the parliament thundered out all those reproaches, which his deserting them in such a manner was liable to; and denounced all those judgments upon him of attainder, confiscation, and incapacity of pardon, which they used to do against those, who, they thought, had done them most mischief, or against whom they were most incensed: which was all the excuse he could make for his proceedings against those of their party, who fell into his hands afterwards where he commanded.

From Oxford he went quickly into the west, before he had any command there; declaring that he would assist colonel Digby; who, upon prince Maurice's departure from thence with his army, was left to block up Plymouth; which he did with much courage and soldierly ability. And to him he had letters from the king, that he should put sir Richard Greenvil into the possession of his wife's estate, that lay within his quarters, and which was justly liable to a sequestration by her living in London, and being too zealously of that party; which the colonel punctually did. And so he came, after so many years, to be again possessed of all that estate: which was what he most set his heart upon.

One day he made a visit from his house, which he called his own, to the colonel; and dined with him; and the colonel civilly sent half a dozen troopers to wait on him home, lest any of the garrison, in their usual excursions, might meet with him. And in his return home, he saw four or five fellows coming out of a neighbour wood, with bur-

dens of wood upon their backs, which they had stolen. He bid the troopers fetch those fellows to him; and finding that they were soldiers of the garrison, he made one of them hang all the rest; which, to save his own life, he was contented to do: so strong his appetite was to those executions he had been accustomed to in Ireland, without any kind of commission or pretence of authority.

Shortly after, upon a sally made with horse and foot from the town, colonel Digby, (who, besides the keenness of his courage, had a more composed understanding, and less liable to fumes, than those of his family who had sharper parts,) charging them with such vigour as routed and drove them back, received himself in the close an unhappy wound, with a rapier, in the eye; which pierced near his brain; so that, though he was brought off by his soldiers, it was very long before he recovered enough to endure the air, and never did the effects of the wound. And upon this accident sir Richard Greenvil was placed in that command, which he executed for some months; until, upon the advance of the earl of Essex, he was compelled to retire into Cornwall, where we found him at the king's coming thither.

This so large excursion upon so private a person may seem very extravagant, and to carry in it too much animosity against the memory of a man who did some things well, and was not without some merit in the king's service: but they who know the occurrences of the next year, which will be faithfully related, and consider the severity that he compelled the prince to use towards him, of which he made a great noise afterwards in the world, and prevailed with some good men to believe that the proceeding against him was too rigorous, and that the council then about the prince had some personal disrespect towards him, may reasonably believe, that this enlargement was in some degree necessary, that such a man's original, nature, manners, and disposition, should be manifest and clearly understood.

The king was now most intent to return into his winter quarters at Oxford, which was all he could propose to himself; and in which he expected to meet with all the obstructions and difficulties his enraged enemies could lay in his way. He knew well that Waller was even ready to come out of London, and that Middleton was retired from Tiverton to join with him; that they had sent for the earl of Manchester to march towards the west with his victorious army: so that, if he long deferred his march, he must look to fight another battle, before he could reach Oxford. Notwithstanding all which, his army, that had been upon hard duty, and had made long marches above six months together, required some rest and refreshment: the foot were without clothes and shoes; and the horse in such ill humour, that without money they would be more discontented. To provide the best remedy that could be applied to these evils, the next day after the king marched from Plymouth, himself, attended only by his own troop, and the principal officers of the court, went to Exeter; appointing the army, by slow marches, to follow, and to be quartered at Tiverton, and the other towns adjacent; where they arrived on the 21st of September.

His majesty now quickly discerned how continual hard duty, with little fighting, had lessened and diminished his army. His own body of foot,

which when he entered Cornwall were above four thousand, was at this time much fewer; and prince Maurice's, which consisted of full four thousand five hundred, when the king first viewed them at Kirton, was not now half the number. Of all the forces under Greenvil, which had made so much noise, and had been thought worthy of the name of an army, there were only five hundred foot and three hundred horse left with him, for the blocking of Plymouth; the rest were dwindled away; except, which was his usual artifice, he had encouraged them to stay for some time in Cornwall, and then to repair to him, as many of them did; for his forces suddenly increased; and the truth is, few of the Cornish marched eastward with the king. The king's horse were harassed, and many of them dead in the marches; which contributed to the discontent of the riders; so that great provisions were to be made before they could begin a new march. By the diligence and activity of the commissioners appointed in Devonshire for those affairs, his majesty was within few days supplied with two thousand pounds in money, which was presently distributed among the horse; and three thousand suits of clothes, with good proportions of shoes and stockings; which were likewise delivered to the foot. What remained yet wanting for the horse and foot, was promised to meet them, upon their first entrance into Somersetshire; where the commissioners of that county had undertaken they should be ready.

There was another thing of equal importance to be provided for, before the king left Exeter; which was, the blocking up the troops of Lyme; which were grown more insolent by the success they had had; and made incursions sometimes even to the walls of Exeter; and to restrain a stronger garrison in Taunton. For when prince Maurice raised his siege from Lyme, he had very unhappily drawn out the garrison of Taunton, which consisted of eight hundred men, under the command of sir John Stawel, a person of that notorious courage and fidelity, that he would never have given it up; and left only fourscore men in the castle to be kept by a lieutenant, who basely gave it up, as soon as Essex in his passage demanded it; for which he deservedly afterwards suffered death. And it was now, by the garrison the earl put into it, and the extreme malignity and pride of the inhabitants, in both which they excelled, become a sharp thorn in the sides of all that populous county.

To remedy the first of these, some troops which depended upon the garrison of Exeter were assigned, which were to receive orders from sir John Berkley, governor thereof; who was the more vacant for that service by the reduction of Barnstable; which was done during the king's stay at Exeter. The other of Taunton was more unhappily committed to colonel Windham, the governor of Bridgewater; who, though a gentleman of known courage and unquestionable fidelity, by the divisions and factions in the country, was not equal to the work. To despatch all this, the king stayed not a full week at Exeter; but hastened his march to Chard in Somersetshire, where he stayed longer; for which he paid dear after; for he might otherwise have reached Oxford, before the enemy was in a conjunction strong enough to stop him: yet even that stay could not be prevented, except he would have left the money and

clothes (which the commissioners of Somersetshire promised, and did deliver there at last) behind him; which would not have been grateful to the army, which had not had much rest.

It was the last of September, that the king marched from Chard; and quartered that night at a house of the lord Pawlet's, where prince Rupert met him, and gave him an account of the unhappy affairs of the north, and that he had left about two thousand horse under the command of sir Marmaduke Langdale; which he might as well have brought with him, and then the king would have had a glorious end of his western expedition. Prince Rupert presently returned to Bristol, with orders, as soon as was possible, to march with those northern horse under sir Marmaduke Langdale, and two thousand foot, which were in Wales, under colonel Charles Gerrard, into Gloucestershire; by which the enemy might be obliged to divide their force, which if they should still keep united, the prince from thence would be able to join with the king: but these orders were not executed in time. The king's army at this time consisted in the whole but of five thousand five hundred foot, and about four thousand horse; and Waller was already come with his horse to Blandford; but some of his troops being beaten up by those of the king's, he retired to Shaftsbury, and those parts of Wiltshire adjacent. It concerned the king very much, before he left those parts, to relieve Portland-castle, which had been now besieged from the time of the earl of Essex's march that way. And to that purpose, he marched to Sherborne; where he stayed six days too long, though in that time he raised the siege before Portland-castle, if he had not hoped by that delay that his nephew prince Rupert would have been well advanced in his march. Sir Lewis Dives was left with his own regiment of one hundred and fifty old soldiers, and some horse in Sherborne-castle, and made commander in chief of Dorsetshire; in hope that he would be able shortly by his activity, and the very good affection of that county, to raise men enough to recover Weymouth: and he did perform all that could be reasonably expected from him. His majesty had a great desire, in his march to Oxford, to relieve Donnington-castle by Newbury, and Basing; which was again besieged by almost their whole army; and then to send a good party to relieve Banbury, which had been close besieged by colonel John Fiennes, another son of the lord Say, with all the forces of Northamptonshire, Warwick, and Coventry; and bravely defended by sir William Compton, full three months; but by this time reduced to the utmost extremity.

In order to preserve all this, the king came to Salisbury upon the fifteenth of October; where he understood, "that Waller lay at Andover with his troops; that Manchester was advanced as far as Reading with five thousand horse and foot, and four and twenty pieces of ordnance; and that four regiments of the trained bands of London were beginning their march to him; and that three thousand of the horse and foot of the earl of Essex's army were near Portsmouth, expecting orders to join with the rest." This might very well have disposed his majesty to have hastened his march to Oxford, which would have made a fair conclusion of the campaign; and this was the more reasonable, because here the king received letters from prince Rupert, in which he

declared, "that it was not possible for him to bring up his troops so soon as his majesty expected;" and indeed as his present condition required: and if this had been resolved, both Donnington-castle and Banbury might have been seasonably set at liberty; but a great gaiety possessed Goring, that he earnestly advised the king to march, with secrecy and expedition, to beat Waller; who lay at Andover, a good distance from the rest, with three thousand horse and dragoons; which the king, upon the unanimous consent of the council, consented to.

He had left all the cannon that he had taken from Essex, in Exeter; and now he sent all his great cannon to a garrison he had within two miles of Salisbury at Langford, a house of the lord Gorges; where was a garrison of one hundred men, commanded by a good officer. The rest of the cannon and carriages were left at Wilton, the house of the earl of Pembroke, with a regiment of foot to guard them; and the king appointed the rendezvous for the army to be the next morning, by seven of the clock, near Clarendon-park; and good guards were set at all the avenues of the city, to keep all people from going out, that Waller might not have any notice of his purpose: and if the hour of the rendezvous had been observed, as it rarely was, (though his majesty was himself the most punctual, and never absent at the precise time,) that design had succeeded to wish. For though the foot under prince Maurice came not up till eleven of the clock, so that the army did not begin its march till twelve, yet they came within four miles of Andover, before Waller had any notice of their motions; when he drew out his whole body towards them, as if he meant to fight; but upon view of their strength, and the good order they were in, he changed his mind, and drew back into the town; leaving a strong party of horse and dragoons to make good his retreat. But the king's van charged, and routed them with good execution, and pursued them through the town, and slew many of them in the rear, until the darkness of the night secured them, and hindered the others from following farther. But they were all scattered, and came not quickly together again; and the king quartered that night at Andover. And the scattering this great body under Waller in this manner, and the little resistance they made, so raised the spirits of the king's army, that they desired nothing more than to have a battle with the whole army of the enemy; which the king meant not to seek out, nor to decline fighting with them, if they put themselves in his way. And so he resolved to raise the siege of Donnington-castle, which was little out of his way to Oxford. And to that purpose, he sent orders for the cannon which had been left at Langford and Wilton, to make all haste to a place appointed between Andover and Newbury; where he stayed with his army till they came up to him; and then marched together to Newbury, within a mile of Donnington.

Donnington-castle had been (when Middleton from thence pursued his march into the west) left to the care of colonel Horton; who for some time was contented to block it up; but then finding his summons neglected, and that they had store of provisions within, and having an addition of forces from Abingdon and Reading, he resolved to besiege it; which he begun to do the 29th of Sep-

tember; and made his approaches, and raised a battery on the foot of the hill next Newbury, and plied it so with his great cannon, that, after twelve days' continual shooting, he beat down three towers and a part of the wall; which he believed had so humbled the governor and the garrison, that they would be no longer so stubborn as they had been; and therefore he sent them another summons, in which he magnified his own clemency, "that prevailed with him, now they were even at his mercy, to offer them quarter for their lives, if they gave up the castle before Wednesday at ten of the clock in the morning; but if that his favour was not accepted, he declared, in the presence of God, that there should no man amongst them have his life spared." The governor made himself merry with his high and threatening language; and sent him word, "he would keep the place, and would neither give nor receive quarter." At this time, the earl of Manchester himself with his forces came to Newbury; and receiving no better answer to his own summons, than Horton had done before, he resolved to storm it the next day. But his soldiers, being well informed of the resolution of those within, declined that hot service; and plied it with their artillery until the next night; and then removed their battery to the other side of the castle; and begun their approaches by saps; when the governor made a strong sally, and beat them out of their trenches, and killed a lieutenant colonel, who commanded in chief, with many soldiers; shot their chief cannoner through the head, brought away their cannon baskets, and many arms, and retired with very little loss: yet the next night they finished their battery; and continued some days their great shot, till they heard of the approach of the king's army; and thereupon they drew off their ordnance, and their trained bands of London being not yet come to them, the earl thought fit to march away to a greater distance; there having been, in nineteen days, above one thousand great shot spent upon the walls, without any other damage to the garrison, than the beating down some old parts thereof.

When the king came to Newbury, the governor of Donnington attended him, and was knighted for his very good behaviour; and there was then so little apprehension of dread of the enemy, that his majesty thought not of prosecuting his journey towards Oxford, before he should relieve both Basing and Banbury. And now importunities being sent from the last, which was even upon the point of rendering for want of victuals, they having already eaten most of their horses, his majesty was well content that the earl of Northampton, who had the supreme government of that garrison, where he had left his brave brother his lieutenant, should, with three regiments of horse, attempt the relieving it; letters being sent to Oxford, "that colonel Gage, with some horse and foot from thence, should meet him;" which they did punctually; and came time enough to Banbury before they were expected: yet they found the rebels' horse (superior in number by much to theirs) drawn up in five bodies on the south side of the town, near their sconce; as if, upon the advantage of that ground, they meant to fight. But two or three shots, made at them by a couple of drakes brought from Oxford by colonel Gage, made them stagger, and retire from their ground very disorderly. Their cannon and baggage had



been sent out of the town the night before; and their foot, being above seven hundred, run out of Banbury upon the first advance of the king's troops. Colonel Gage with the foot went directly to the castle, that they might be at liberty; whilst the earl of Northampton followed the horse so closely, that they found it best to make a stand; where he furiously charged and routed them; and notwithstanding they had lined some hedges with musketeers, pursued them till they were scattered, and totally dispersed; their general, young Fiennes, continuing his flight, till he came to Coventry, without staying. The foot, for the most part, by dispersing themselves, escaped by the enclosures, before colonel Gage could come up. But there were taken, in the chase, one field-piece, and three waggons of arms and ammunition; many slain; and two officers of horse, with near one hundred other prisoners, four cornets of horse, and two hundred horses, were taken; and all this with the loss of one captain and nine troopers; some officers, and others, being wounded, but not mortally. Thus the siege was raised from Banbury; which had continued full thirteen weeks; so notably defended, that though they had but two horses left uneaten, they had never suffered a summons to be sent to them; and it was now relieved the very day of the month upon which both town and castle had been rendered to the king two years before; being the 26th of October.

Though the relief of Banbury succeeded to wish, yet the king paid dear for it soon after: the very day after that service was performed, colonel Urry, a Scotchman, who had formerly served the parliament, and is well mentioned, in the transactions of the last year, for having quitted them, and performed some signal service to the king, had in the west, about the time the king entered into Cornwall, (in a discontented humour, which was very natural to him,) desired a pass to go beyond the seas; and so quitted the service: but, instead of embarking himself, made haste to London; and put himself now into the earl of Manchester's army, and made a discovery of all he knew of the king's army, and a description of the persons and customs of those who principally commanded; so that as they well knew the constitution and weakness of the king's army, so they had advertisement of the earl of Northampton's being gone, with three regiments of horse, to the relief of Banbury. Whereupon, within two days after, all those forces which had been under Essex and Waller, being united with Manchester, (with whom likewise the trained bands of London were now joined; all which made up a body of above eight thousand foot; the number of their horse being not inferior,) advanced towards the king, who had not half the number before the departure of the earl of Northampton, and stayed still at Newbury with a resolution to expect the return of that earl, that he might likewise do somewhat for Basing; not believing that the enemy could be so soon united.

It was now too late to hope to make a safe retreat to Oxford, when the whole body of the enemy's army, which had received positive orders to fight the king as soon as was possible, appeared as near as Thackham; so that his majesty, not at all dismayed, resolved to stand upon the defensive only; hoping that, upon the advantage [he had] of the town of Newbury and the river, the enemy would not speedily advance; and that in the mean

time, by being compelled to lodge in the field, which grew now to be very cold, whilst his army was under cover, they might be forced to retire. The king quartered in the town of Newbury; and placed strong guards on the south of the town: but the greatest part of the army was placed towards the enemy's quarters, in a good house belonging to Mr. Doleman at Shaw, and in a village near it, defended by the river that runs under Donnington-castle, and in a house between that village and Newbury, about which a work was cast up, and at a mill upon the river of Kennet; all which lay almost east from the town. Directly north from thence were two open fields, where most of the horse stood with the train of artillery, and about half a mile west was the village of Speen; and beyond it a small heath. In this village lay all prince Maurice's foot, and some horse, and at the entrance of the heath a work was cast up, which cleared the heath. And in this posture they had many skirmishes with the enemy for two days, without losing any ground; and the enemy was still beaten off with loss.

On Sunday morning, the seven and twentieth of October, by the break of day, one thousand of the earl of Manchester's army, with the trained bands of London, came down the hill; and passed the river that was by Shaw; and, undiscovered, forced that guard which should have kept the pass that was near the house; that was intrenched where sir Bernard Astley lay; who instantly, with a good body of musketeers, fell upon the enemy; and not only routed them, but compelled them to rout two other bodies of their own men, who were coming to second them. In this pursuit very many of the enemy were slain, and many drowned in the river, and above two hundred arms taken. There continued, all that day, very warm skirmishes in several parts; the enemy's army having almost encompassed the king's; and with much more loss to them, than to the king; till, about three of the clock in the afternoon, Waller with his own, and the forces which had been under Essex, fell upon the quarter at Speen, and passed the river; which was not well defended by the officer who was appointed to guard it with horse and foot, very many of them being gone off from their guards, as never imagining that they would, at that time of day, have attempted a quarter that was thought the strongest of all. But having thus got the river, they marched in good order, with very great bodies of foot, winged with horse, towards the heath; from whence the horse which were left there, with too little resistance, retired; being in truth much overpowered, by reason the major part of them, upon confidence of security of the pass, were gone to provide forage for their horse.

By this means the enemy possessed themselves of the ordnance which had been planted there, and of the village of Speen; the foot which were there retired to the hedge next the large field between Speen and Newbury; which they made good: at the same time, the right wing of the enemy's horse advanced under the hill of Speen, with one hundred musketeers in the van, and came into the open field, where a good body of the king's horse stood, which at first received them in some disorder; but the queen's regiment of horse, commanded by sir John Cansfield, charged them with so much gallantry, that he routed that great body; which then fled;

and he had the execution of them near half a mile; wherein most of the musketeers were slain, and very many of the horse; insomuch that that whole wing rallied not again that night. The king was at that time with the prince, and many of the lords, and other his servants, in the middle of that field; and could not, by his own presence, restrain those horse, which at the first approach of the enemy were in that disorder, from shamefully giving ground. So that if sir John Cansfield had not, in that article of time, given them that brisk charge, by which other troops were ready to charge them in the flank, the king himself had been in very great danger.

At the same time, the left wing of the enemy's horse advanced towards the north side of the great field; but, before they got thither, Goring, with the earl of Cleveland's brigade, charged them so vigorously, that he forced them back in great confusion over a hedge; and following them over that hedge, was charged by another fresh body, which he defeated likewise, and slew very many of the enemy upon the place; and having not only routed and beaten them off their ground, but endured the shot of three bodies of their foot in their pursuit, and in their retreat, with no considerable damage, save that the earl of Cleveland's horse falling under him, he was taken prisoner; which was an extraordinary loss. Whilst this was doing on that side, twelve hundred horse, and three thousand foot, of those under the earl of Manchester, advanced with great resolution upon Shaw-house, and the field adjacent; which quarter was defended by sir Jacob Astley and colonel George Lisle; and the house, by lieutenant colonel Page. They came singing of psalms; and, at first, drove forty musketeers from a hedge, who were placed there to stop them; but they were presently charged by sir John Brown, with the prince's regiment of horse; who did good execution upon them, till he saw another body of their horse ready to charge him, which made him retire to the foot in Mr. Doleman's garden, which flanked that field, and gave fire upon those horse, whereof very many fell; and the horse thereupon wheeling about, sir John Brown fell upon their rear, and killed many, and kept that ground all the day; when the reserve of foot, commanded by colonel Thelwell, galled their foot with several volleys, and then fell on them with the but-ends of their muskets, till they had not only beaten them from the hedges, but quite out of the field; leaving two drakes, some colours, and many dead bodies behind them. At this time, a great body of their foot attempted Mr. Doleman's house, but were so well entertained by lieutenant colonel Page, that, after they had made their first effort, they were forced to retire in such confusion, that he pursued them from the house with a notable execution, insomuch that they left five hundred dead upon a little spot of ground; and they drew off the two drakes out of the field to the house, the enemy being beaten off, and retired from all that quarter.

It was now night; for which neither party was sorry; and the king, who had been on that side where the enemy only had prevailed, thought that his army had suffered likewise in all other places. He saw they were entirely possessed of Speen, and had taken all the ordnance which had been left there; whereby it would be easy for them, before the next morning, to have compassed him

round; towards which they might have gone far, if they had found themselves in a condition to have pursued their fortunes.

Hereupon, as soon as it was night, his majesty, with the prince, and those lords who had been about him all the day, and his regiment of guards, retired into the fields under Donnington-castle, and resolved to prosecute the resolution that was taken in the morning, when they saw the huge advantage the enemy had in numbers, with which he was like to be encompassed, if his forces were beaten from either of the posts. That resolution was, "to march away in the night towards Wallingford;" and to that purpose, all the carriages and great ordnance had been that morning drawn under Donnington-castle; so he sent orders to all the officers to draw off their men to the same place; and receiving intelligence at that time that prince Rupert was come, or would be that night at Bath, that he might make no stay there, but presently be able to join with his army, his majesty himself with the prince, and about three hundred horse, made haste thither, and found prince Rupert there, and thence made what haste they could back towards Oxford. The truth is, the king's army was not in so ill a condition, as the king conceived it to have been: that party which were in the field near Speen, kept their ground very resolutely; and although it was a fair moonshine night, the enemy, that was very near them, and much superior in number, thought not fit to assault or disturb them. That part of the enemy that had been so roughly treated at Shaw, having received succour of a strong body of horse, resolved once more to make an attempt upon the foot there; but they were beaten off as before; though they stood not well enough to receive an equal loss, but retired to their hill, where they stood still. And this was the last action between the armies; for about ten of the clock at night, all the army, horse, foot, and cannon, upon the king's orders, drew forth their several guards to the heath about Donnington-castle; in which they left most of their wounded men, with all their ordnance, ammunition, and carriages; and then prince Maurice, and the other officers, marched in good order away to Wallingford, committing the bringing up the rear to sir Humphrey Bennet, (who had behaved himself very signally that day,) who, with his brigade of horse, marched behind, and received not the least disturbance from the enemy; who, in so light a night, could not but know of the retreat, and were well enough pleased to be rid of an enemy that had handled them so ill. By the morning, all the army, foot as well as horse, arrived at Wallingford; where having refreshed a little, they marched to Oxford, without seeing any party of the enemy that looked after them.

Many made a question which party had the better of the day; and either was well enough with their success. There could be no question there were very many more killed of the enemy, than of the king's army; whereof were missing only sir William St. Leger, lieutenant colonel to the duke's regiment of foot; lieutenant colonel Topping, and lieutenant colonel Leake, both officers of horse, who were all there slain, with not above one hundred common soldiers, in all places. The earl of Brentford, general of the army, was wounded on the head; sir John Cans-

field, sir John Greenvil, and lieutenant colonel Page, were wounded; but all recovered. The officers of the enemy's side were never talked of, being, for the most part, of no better families than the common soldiers. But it was reasonably computed, by those who saw the action in all places, that there could not be so few as one thousand dead upon the place: but because the king's army quitted the field, and marched away in the night, the other side thought themselves masters; and the parliament celebrated their victory with their usual triumphs; though, within few days after, they discerned that they had little reason for it. They came to know, by what accident was not imagined, that the earl of Brentford remained that night in the castle, by reason of the hurt in his head, and so sent colonel Urry to him to persuade him to give up the castle, and to make him other large offers; all which the general rejected with the indignation that became him. No more shall be said of the colonel, because, after all his tergiversations, he chose at last to lose his life for and in the king's service; which ought to expiate for all his transgressions, and preserve his memory from all unkind reflections.

The next day, when they knew that the king's army was retired, and not till then, they made haste to possess themselves of Newbury; and then drew up their whole army before Donnington-castle, and summoned the governor "to deliver it to them, or else they would not leave one stone upon another." To which the governor made no other reply, than "that he was not bound to repair it; but however he would, by God's help, keep the ground." Afterwards seeing his obstinacy, they offered him "to march away with their arms, and all things belonging to the garrison;" and, when that moved not, that he "should carry all the cannon and ammunition with him;" to all which he answered, "that he wondered they would not be satisfied with so many answers that he had sent," and desired them "to be assured, that he would not go out of the castle, till the king sent him order so to do." Offended with these high answers, they resolved to assault it; but the officer who commanded the party being killed, with some few of the soldiers, they retired, and never after made any attempt upon it, but remained quietly at Newbury in great faction among themselves; every man taking upon himself to find fault, and censure what had been done, and had been left undone, in the whole day's service.

The king met prince Rupert, as he expected, with colonel Gerrard, and sir Marmaduke Langdale; and made all the haste he could to join those forces with his own army, that so he might march back to Newbury, and disengage his cannon and carriages. By the way he met the earl of Northampton, and those regiments which had relieved Banbury; and having with marvellous expedition caused a new train of artillery to be formed, he brought his army again to a rendezvous on Bullington Green; where, with the addition of those forces, and some foot, which he drew out of Oxford, under the command of colonel Gage, it appeared to be full six thousand foot, and five thousand horse; with which he marched to Wallingford; and within a day more than a week after he had left Donnington-castle, found himself there again in so good a posture, that he resolved not to

decline fighting with the enemy; but would be first possessed of his cannon, and put some provision into the castle; which he accomplished without any opposition.

The enemy's army lay still at Newbury, perplexed with the divisions and factions among their own officers, without any notice of the king's advance, till a quarter of their horse was beaten up. The next morning the king put his army into battalia; prince Rupert, who was now declared general, led the van, and got possession of the heath, on the back side of the castle; from which a small party might have kept him, the entrance into it being very steep, and the way narrower. On that heath the king's army was drawn up about noon, every one being prepared to fight; and none of the enemy appearing, they marched by the castle over the river by a mill, and two fords below it, without any opposition, and thence drew into the large field between Speen and Newbury, which was thought a good place to expect the enemy; who, in the mean time, had drawn a great body of their horse and foot into the other field toward Shaw, and had made breastworks and batteries on the back side of Newbury; which town they resolved to keep, and stand upon the defensive, as the king had done before; presuming, that they now having the warmer lodging, might better attack the king after his men had lain a night or two in the fields; it being now the month of November, but fair for that season. Some light skirmishes passed between the horse; but when the king saw upon what disadvantages he must force them to fight, he called his council together, who were unanimous in opinion, "that since he had relieved the castle, and put sufficient provisions into it, and that it was in his power to draw off his ordnance and ammunition from thence, he had done his business; and if any honour had been lost the other day, it was regained now, by his having passed his army over the river in the face of theirs, and offered them battle, which they durst not accept." Upon which the king resolved to attempt them no farther, but gave orders to retire in their view, with drums beating and trumpets sounding, the same way he came over the river. So the king lay that night at Donnington-castle, and all the army about him.

The king had not yet done all he meant to do, before he took up his winter quarters, and was willing that the enemy should have an opportunity to fight with him, if they desired it: and therefore, on the Sunday morning the tenth of November, his majesty marched with all his cannon and ammunition over the heath from Donnington, over a fair campaign, to Lamborne; in which march, some of the enemy's horse attempted his rear, but were repulsed with loss; many being slain, and some taken prisoners. There the king quartered that night and the next day, to refresh his men for the ill lodging they had endured at Donnington; having sent some persons of great reputation and interest to Marlborough, to make large provisions for him and his army. And then, since he heard the enemy lay still at Newbury, he marched to Marlborough; where he found all things to his wish. His heart was set upon the relief of Basing, which was now again distressed; the enemy having, as is said before, begirt it closely, from the time that Gage had relieved it. And he had a great mind to do it with his whole

army, that thereby he might draw the enemy to a battle : but, upon full debate, it was concluded, "that the safest way would be to do it by a strong party; that one thousand horse should be drawn out, every one of which should carry before him a bag of corn, or other provisions, and march so as to be at Basing-house the next morning after they parted from the army; and then every trooper was to cast down his bag, and to make their retreat as well as they might;" and colonel Gage, who had so good success before, was appointed to command this party; which he cheerfully undertook to do. And the better to effect it, Hungerford was thought the fitter place to quarter with the army, and from thence to despatch that party : so his majesty marched back to Hungerford, which was half way to Newbury : the enemy was in mean time marched from thence to Basing, which they thought would, upon the sight of their whole army, presently have yielded; but finding the marquis still obstinate to defend it, they were weary of the winter war, and so retired all their force from thence, and quitted the siege the very day before Gage came thither; so that he easily delivered his provisions, and retired to the king without any inconvenience. His majesty then marched to Farringdon, with some hope to have surprised Abingdon in his way; but he found it too well provided; and so after he had considered where to quarter his horse, which had hitherto had their head quarter at Abingdon, and those places which were now under the power of that governor, he returned to Oxford; where he arrived, to the universal joy, on the three and twentieth of November; a season of the year fit for all the troops to be in their winter quarters.

The king was exceedingly pleased to find how much the fortifications there had been advanced by the care and diligence of the lords; and was very gracious in his acknowledgment of it to them. And the governor, sir Arthur Aston, having, some months before, in the managing his horse in the fields, caused him to fall, had in the fall broken his leg, and, shortly after, been compelled to cut it off; so that, if he recovered at all, which was very doubtful, he could not be fit for any active service; his majesty resolved to confer that government upon another. Of which resolution, with all the circumstances of grace and favour, and sending him a warrant for one thousand pounds a year pension for his life, he gave him notice; and then, to the most general satisfaction of all men, he conferred that government upon colonel Gage, whom he had before knighted. Sir Arthur Aston was so much displeased with his successor, that he besought the king to confer that charge upon any other person; and when he found that his majesty would not change his purpose, he sent to some lords to come to him, who he thought were most zealous in religion, and desired them to tell the king from him, "that, though he was himself a Roman catholic, he had been very careful to give no scandal to his majesty's protestant subjects; and could not but inform him, that Gage was the most Jesuited papist alive; that he had a Jesuit who lived with him; and that he was present at all the sermons among the catholics; which he believed would be very much to his majesty's disservice." So much his passion and animosity overruled his conscience.

The king liked the choice he had made; and only advised the new governor, by one of his friends, "to have so much discretion in his carriage, that there might be no notice taken of the exercise of his religion;" to which animadversion he answered, "that he never had dissembled his religion, nor ever would; but that he had been so wary in the exercise of it, that he knew there could be no witness produced, who had ever seen him at mass in Oxford, though he heard mass every day; and that he had never been but once at a sermon, which was at the lodging of sir Arthur's daughter, to which he had been invited with great importunity, and believed now that it was to entrap him." But the poor gentleman enjoyed the office very little time; for within a month, or thereabout, making an attempt to break down Culham-bridge near Abingdon, where he intended to erect a royal fort, that should have kept that garrison from that side of the country, he was shot through the heart with a musket bullet. Prince Rupert was present at the action, having approved, and been much pleased with the design, which was never pursued after his death; and in truth the king sustained a wonderful loss in his death; he being a man of great wisdom and temper, and among the very few soldiers, who made himself to be universally loved and esteemed.

Though the king's condition was now much better, than, in the beginning of the summer, he had reason to expect, (he had broken and defeated two armies of the parliament, and returned into his winter quarter with advantage, and rather with an increase than diminution of his forces,) yet his necessities were still the same, and the fountains dried up from whence he might expect relief; his quarters shortened and lessened by the loss of the whole north : for after the battle of York, the Scots returned to reduce Newcastle, which they had already done, and all other garrisons which had held out for the king; and when that work should be thoroughly and sufficiently done, it must be expected that army should again move southward, and take such other places, as the parliament should not be at leisure to look after themselves.

The king's army was less united than ever; the old general was set aside, and prince Rupert put into the command, which was no popular change : for the other was known to be an officer of great experience, and had committed no oversights in his conduct; was willing to hear every thing debated, and always concurred with the most reasonable opinion; and though he was not of many words, and was not quick in hearing, yet upon any action he was sprightly, and commanded well. The prince was rough, and passionate, and loved not debate; liked what was proposed, as he liked the persons who proposed it; and was so great an enemy to Digby and Colepepper, who were only present in debates of the war with the officers, that he crossed all they proposed. The truth is, all the army had been disposed, from the first raising it, to a neglect and contempt of the council; and the king himself had not been solicitous enough to preserve the respect due to it; in which he lost of his own dignity.

Goring, who was now general of the horse, was no more gracious to prince Rupert, than

Wilmot had been; and had all the other's faults, and wanted his regularity, and preserving his respect with the officers. Wilmot loved debauchery, but shut it out from his business; never neglected that, and rarely miscarried in it. Goring had a much better understanding, and a sharper wit, (except in the very exercise of debauchery, and then the other was inspired,) a much keener courage, and presentness of mind in danger: Wilmot discerned it farther off, and because he could not behave himself so well in it, commonly prevented, or warily declined it; and never drank when he was within distance of an enemy: Goring was not able to resist the temptation, when he was in the middle of them, nor would decline it to obtain a victory; and, in one of those fits, he had suffered the horse to escape out of Cornwall; and the most signal misfortunes of his life in war had their rise from that uncontrollable license. Neither of them valued their promises, professions, or friendships, according to any rules of honour or integrity; but Wilmot violated them the less willingly, and never but for some great benefit or convenience to himself; Goring without scruple, out of humour, or for wit's sake; and loved no man so well, but that he would cozen him, and then expose him to public mirth for having been cozened: therefore he had always fewer friends than the other, but more company; for no man had a wit that pleased the company better. The ambition of both was unlimited, and so equally incapable of being contented; and both unrestrained, by any respect to good-nature or justice, from pursuing the satisfaction thereof: yet Wilmot had more scruples from religion to startle him, and would not have attained his end by any gross or foul act of wickedness: Goring could have passed through those pleasantly, and would, without hesitation, have broken any trust, or done any act of treachery, to have satisfied an ordinary passion or appetite; and, in truth, wanted nothing but industry (for he had wit, and courage, and understanding, and ambition, uncontrolled by any fear of God or man) to have been as eminent and successful in the highest attempt in wickedness of any man in the age he lived in, or before. Of all his qualifications, dissimulation was his masterpiece; in which he so much excelled, that men were not ordinarily ashamed, or out of countenance, with being deceived but twice by him.

The court was not much better disposed than the army; they who had no preferment were angry with those who had, and thought they had not deserved so well as themselves: they who were envied, found no satisfaction or delight in what they were envied for, being poor and necessitous, and the more sensible of their being so, by the titles they had received upon their violent importunity. So that the king was without any joy in the favours he had conferred, and yet was not the less solicited to grant more to others of the same kind, who, he foresaw, would be no better pleased than the rest: and the pleasing one man this way, displeased one hundred; as his creating the lord Colepepper at this time, and making him a baron, (who, in truth, had served him with great abilities; and, though he did imprudently in desiring it, did deserve it,) did much dissatisfy both the court and the army; to neither of which he was in any degree gracious, by his having no

ornament of education, to make men the more propitious to his parts of nature; and disposed many others to be very importunate to receive the same obligation.

There had been another counsel entered upon, and concluded with great deliberation and wisdom, which turned at this time to his majesty's disadvantage; which was the cessation in Ireland; entered into, as hath been said before, with all the reason imaginable, and in hope to have made a good peace there, and so to have had the power of that united kingdom, to have assisted to the suppressing the rebellion in this. But now, as all the supplies he had received from thence upon the cessation had been already destroyed, without any benefit to the king, so his majesty found, that he should not be able to make a peace there; and then the government there would be in the worse condition, by being deprived of so many good officers and soldiers upon the conclusion of the cessation. There had been commissioners from that time sent over to the king from the confederate catholics, to treat a peace; the lord lieutenant and council had sent likewise commissioners to inform the king of all things necessary to be considered in the treaty; and the parliament which was then sitting in Ireland had sent likewise commissioners, in the name of the protestants in that kingdom, to prevent the making any peace; and with a petition to dissolve the cessation that had been made.

The commissioners from the confederate catholics demanded "the abrogation and repeal of all those laws, which were in force against the exercise of the Roman religion: that the lieutenant, or chief governor, should be a Roman catholic; and that there should be no distinction made, whereby those of that religion should not be capable of any preferment in the kingdom, as well as the protestants;" together with the repeal of several laws, which that nation thought to have been made in their prejudice.

The commissioners from the state (whereof some were of the privy-council) professed, "that they desired a peace might be made;" but proposed, in order, as they said, to the security of the kingdom, "that all the Irish might be disarmed; and such among them as had been most signal and barbarous in the massacres in the beginning of the rebellion, might be excepted from pardon, and prosecuted with the utmost rigour of law: that the laws might be put in execution against all Roman catholics, and especially against all Jesuits, priests, and friars; and that they might be obliged to pay all the damages which had been sustained by the war."

The commissioners from the protestants demanded, "that the cessation might be dissolved, and the war carried on with the utmost rigour, according to the act of parliament that had been made in the beginning of the rebellion, and that no peace might be made on any conditions."

The king demanded of the Irish, "whether they believed it could be in his power, if it were agreeable to his conscience, to grant them their demands? and whether he must not thereby purchase Ireland with the loss of England and Scotland?" There were among them some sober men, who confessed, "that, as his majesty's affairs then stood, they believed he





Long and J. T. Head

GEORGE, LORD GORTON.

1645

FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF

THE RIGHT HONORABLE THE EARL OF LORDEMONT





"could not grant it; and they hoped, that their general assembly would, when they should be informed of the truth of his majesty's condition, which was not known to them, be persuaded to depart from some of their demands; but that, for the present, they had not authority to recede from any one proposition."

The king then asked the commissioners who had been sent over by the marquis of Ormond, lieutenant of the kingdom, "which forces they thought to be the stronger, the king's army, or that of the rebels?" They confessed "the rebels to be much superior in power, and that they were possessed of more than three parts of the kingdom." The king then asked them, "whether they thought it probable, now they found themselves to be the stronger, that they would be persuaded to yield to so disadvantageous terms, as they proposed, and to be so wholly at the mercy of those whom they had so much provoked? and if they could be so disposed, whether they believed that they were able, though they should be willing, to sell all they have in Ireland, to pay the damages, which had been sustained by the war?" The commissioners acknowledged, "that they thought the last impossible, and that there might be a mitigation in that particular; but for the former, they durst not advise his majesty to recede at all; for that there could be no other security for the protestants in that kingdom, but by leaving the Irish without any capacity or ability to trouble them: for their perfidiousness was such, that they could not be trusted; and therefore they must either be put into such a condition, by being totally disarmed, that they should not be able to do any mischief; or that all the protestants must leave the kingdom to the entire possession of the Irish; and whether that would be for his majesty's service and security, they must refer to his own wisdom."

The king then sent for the commissioners from the parliament, on the behalf of the protestants, and asked them, "whether they were ready, if the cessation were expired, to renew the war, and to prosecute it hopefully, to the reduction or suppression of the Irish?" They answered very clearly, "that, in the state they were in, they could not carry on the war, or defend themselves against the Irish, who were much superior to them in power; but if his majesty would recruit his army, and send over money, and arms, and ammunition, with shipping, they made no doubt, but, with God's blessing, they should be able shortly to reduce them, and drive them out of the kingdom." The king then asked them, "whether they did in truth think, that his majesty was able to send them such supplies as they stood in need of? or whether they did not, in their consciences, know, that he was not able to send them any part of it, and stood in want of all for his own support?" They answered, "that they hoped he would make a peace with the parliament, and would then be able to send over such assistance to Ireland, as would quickly settle that kingdom."

But, after all these discourses, his majesty prevailed not with any of them to depart from the most unreasonable of all their demands; whereupon he dismissed them, and told the Irish, "it had been in their power so far to have obliged

"him, that he might hereafter have thought himself bound to have gratified them in some particulars, which were not now seasonable to have been done; but they would repent this their senseless perverseness, when it would be too late, and when they found themselves under a power that would destroy them, and make them cease to be a nation."

And so they all left Oxford; and his majesty, notwithstanding all this resolution not to depart from any thing that might in any degree be prejudicial to the protestant interest in that kingdom, found that he suffered under no reproach more in England, than by having made that cessation: so wonderfully unreasonable was the nation then, under the absurd imputation of his majesty's favouring the Irish.

The straits in which the king now was, brought him to some reflections which he had never made before; and the considerations of what might probably be the event of the next summer, disposed him to inclinations which were very contrary to what he had ever before entertained. His three younger children were taken from the governess in whose hands he had put them, and were not only in the parliament quarters, but expressly by their order put into the custody of one in whom the king could have the less confidence, because it was one in whom the parliament confided so much. He had with him the prince and the duke of York, both young; and he had no resolution more fixed in him, than that the prince should never be absent from him; which, as hath been touched before, made him less consider what governor or servants he put about him; resolving to form his manners by his own model. But now he began to say, "that himself and the prince were too much to venture in one bottom; and that it was now time to unbosom him, by putting him into some action and acquaintance with business, out of his own sight;" but communicated these thoughts only with the lord Digby, the lord Colepepper, and the chancellor of the exchequer; and was thought to confer more with the lord Colepepper upon the subject, than with either of the other; but had some particular thoughts upon which he conferred with nobody. There was but one province in which the prince could reside, after he was severed from the king; and that was the west; which was yet in a worse condition than it had been, by the rebels being possessed of Taunton, the chief town in Somersetshire; and though it was an open and unfortified place, it was very strong against the king in the natural disaffection of the inhabitants, which were very numerous, and all the places adjacent of the same ill principles; and Waller had already sent some troops thither to confirm them in their rebellious inclinations, and had himself a resolution speedily to go thither, with a body sufficient to form an army for the reduction of the west: nor was the design improbable to succeed; for the reputation of the Scotch army, upon the recovery of all the north, had shaken and terrified all the kingdom; and the king's army was the last enemy the west had been acquainted with, and had left no good name behind it.

To prevent this mischief, Goring (who had now made a fast friendship with the lord Digby, either of them believing he could deceive the other, and so with equal passion embracing the engagement)

was sent with some troops to Salisbury, from whence he might easily prevent any motion of Waller; without which, Taunton would be in a short time reduced by the garrisons the king had in the country; so that this alteration rather confirmed than diverted his majesty, in his thoughts of sending the prince thither: so that he began to publish his purpose, and named counsellors to be with his highness, by whose advice all things should be done; his majesty's purpose being, in truth, only at that time that the prince should go no farther west than Bristol; and that there might no jealousies arise from this action, (which every body knew was so far from the king's former purpose; and it might be imagined, that his highness would be sent to the queen his mother into France, which many unreasonably apprehended,) the king declared what council he intended should be about his son; the reputation of whom, he thought, would allay all jealousies of that kind. He named the duke of Richmond, the earl of Southampton, the lord Capel, the lord Hopton, the lord Colepepper, and the chancellor of the exchequer, and appointed them "to meet frequently at the prince's lodging, to consider with his highness what preparations should be made for his journey, and in what manner his family should be established." There was one person more, who of necessity was to wait on the person of the prince, which was the earl of Berkshire, his governor; and then his majesty found, what false measures he had taken in the conferring that province, and lamented his own error to those he trusted, but knew not how to prevent the inconveniences that might ensue, unless by applying two remedies, which were not natural, and might have been productive of as great inconveniences. The one was, to lessen the prince's reverence and esteem for his governor; which was very sufficiently provided for. The other, to leave the governor without any more authority, than every one of the council had; and so much less, as the prince had a better esteem of every one of them, than he had of him: and so left him without a governor, which would have been a little better, if he had been without the earl of Berkshire too.

When the king was in this melancholic posture, it was a great refreshment, and some advantage to him, to hear, that the disorder the parliament was in was superior to his. The cause of all the distractions in his court or army proceeded from the extreme poverty and necessity his majesty was in; and a very moderate supply of money would, in a moment, have extinguished all those distempers. But all the wealth of the kingdom, for they were possessed of all, could not prevent the same, and greater distractions and emulations, from breaking into the whole government of the parliament: and all the personal animosities imaginable broke out in their councils, and in their armies; and the house of peers found themselves, upon the matter, excluded from all power or credit, when they did not concur in all the demands which were made by the commons.

That violent party, which had at first cozened the rest into the war, and afterwards obstructed all the approaches towards peace, found now that they had finished as much of their work, as the tools which they had wrought with could be applied to; and what remained to be done, must

be despatched by new workmen. They had been long unsatisfied with the earl of Essex, and he as much with them; both being more solicitous to suppress the other, than to destroy the king. They bore the loss and dishonour he had sustained in Cornwall very well; and would have been glad, that both he and his army had been quite cut off, instead of being dissolved; for most of his officers and soldiers were corrupted in their affections towards them, and desired nothing but peace: so that they resolved never more to trust or employ any of them. But that which troubled them more, was, that their beloved earl of Manchester, upon whom they depended as a fast friend, by whom they might insensibly have divested the earl of Essex of all inconvenient authority in the army, appeared now as unapplicable to their purposes as the other; and there was a breach fallen out between him and Oliver Cromwell, which was irreconcilable, and which had brought some counsels upon the stage, before they were ripe.

Cromwell accused the earl of Manchester "of having betrayed the parliament out of cowardice; for that he might, at the king's last being at Newbury, when he drew off his cannon, very easily have defeated his whole army, if he would have permitted it to have been engaged: that he went to him, and shewed him evidently how it might be done; and desired him that he would give him leave, with his own brigade of horse, to charge the king's army in their retreat; and the earl, with the rest of his army, might look on, and do as he should think fit: but that the earl had, notwithstanding all importunity used by him and other officers, positively and obstinately refused to permit him; giving no other reason, but that, he said, if they did engage, and overthrow the king's army, the king would always have another army to keep up the war; but if that army which he commanded should be overthrown, before the other under the earl of Essex should be reinforced, there would be an end of their pretences; and they should be all rebels and traitors, and executed and forfeited by the law."

This pronouncement what the law would do against them was very heavily taken by the parliament, as if the earl believed the law to be against them, after so many declarations made by them, "that the law was on their side, and that the king's arms were taken up against the law." The earl confessed "he had used words to that effect, that they should be treated as traitors, if their army was defeated, when he did not approve the advice that was given by the lieutenant general; which would have exposed the army to greater hazard, than he thought seasonable in that conjuncture, in the middle of the winter, to expose it to." He then recriminated Cromwell, "that, at another time, Cromwell discoursing freely with him of the state of the kingdom, and proposing somewhat to be done," the earl had answered, "that the parliament would never approve it:" to which Cromwell presently replied, "My lord, if you will stick firm to honest men, you shall find yourself in the head of an army, that shall give the law to king and parliament; which discourse," he said, made great impression in him; for he knew the lieutenant general to be a man of very

"deep designs; and therefore he was the more careful to preserve an army, which he yet thought was very faithful to the parliament."

This discourse startled those who had always an aversion to Cromwell, and had observed the fierceness of his nature, and the language he commonly used when there was any mention of peace; so that they desired that this matter might be thoroughly examined, and brought to judgment. But the other side put all obstructions in the way, and rather chose to lose the advantage they had against the earl of Manchester, than to have the other matter examined; which would unavoidably have made some discoveries which they were not yet ready to produce. However the animosities increased, and the parties appeared barefaced against each other; which increased the distractions, and divided the city as well as the parliament; and new opinions started up in religion, which made more subdivisions; and new terms and distinctions were brought into discourse; and fanatics were now first brought into appellation: which kind of confusions exceedingly disposed men of any sober understanding to wish for peace; though none knew how to bring the mention of it into the parliament.

The Scottish commissioners were as jealous and as unsatisfied as any other party; and found, since the battle of York, neither their army nor themselves so much considered as before, nor any conditions performed towards them with any punctuality. They had long had jealousy of Cromwell and sir Henry Vane, and all that party; which they saw increased every day, and grew powerful in the parliament, in the council, and in the city. Their sacred vow and covenant was mentioned with less reverence and respect, and the independents, which comprehended many sects in religion, spake publicly against it; of which party Cromwell and Vane were the leaders, with very many clergymen, who were the most popular preachers, and who in the assembly of divines had great authority: so that the Scots plainly perceived, that though they had gone as far towards the destruction of the church of England as they desired, they should never be able to establish their presbyterian government; without which they should lose all their credit in their own country, and all their interest in England. They discerned likewise, that there was a purpose, if that party prevailed, to change the whole frame of the government, as well civil as ecclesiastical, and to reduce the monarchy to a republic; which was as far from the end and purpose of that nation, as to restore episcopacy. So that they saw no way to prevent the mischief and confusion that would fall out, but by a peace; which they began heartily to wish, and to conspire with those of that party which most desired to bring it to pass; but how to set a treaty on foot, they knew not.

The house of peers, three or four men excepted, wished it, but had no power to compass it. In the house of commons, there were enough who would have been very glad of it, but had not the courage to propose it. They who had an inward aversion from it, and were resolved to prevent it by all possible means, wrought upon many of the other to believe, "that they would accept of a proposition for a treaty, if the king desired it; but that it would be dishonourable, and of very pernicious consequence to the nation, if the parliament first

proposed it." So that it seemed evident, that if any of the party which did in truth desire peace, should propose it to the parliament, it would be rejected; and rejected upon the point of honour, by many of those who in their hearts prayed for it.

They tried their old friends of the city, who had served their turns so often, and set some of them to get hands to a petition, by which the parliament should be moved "to send to the king to treat of peace." But that design was no sooner known, but others of an opposite party were appointed to set a counter petition on foot, by which they should "disclaim any consent [to], or approbation of, the other petition; not that they did not desire peace as much as their neighbours," (nobody was yet arrived at the impudence to profess against peace,) "but that they would not presume to move the parliament in it, because they knew, their wisdom knew best the way to obtain it, and would do what was necessary and fit towards it; to which they wholly left it."

And this petition found more countenance among the magistrates, the mayor, and aldermen; sir Henry Vane having diligently provided, that men of his own principles and inclinations should be brought into the government of the city; of which he saw they should always have great need, even in order to keep the parliament well disposed. So that they who did in truth desire any reasonable peace, found the way to it so difficult, and that it was impossible to prevail with the two houses to propose it to the king, that they resolved, "it could only rise from his majesty; and to that purpose they should all labour with their several friends at Oxford, to incline the king to send a message to the parliament, to offer a treaty of peace in any place where they should appoint; and then they would all run the utmost hazard before it should be rejected."

The independent party, (for under that style and appellation they now acted, and owned themselves,) which feared and abhorred all motions towards peace, were in as great straits as the other, how to carry on their designs. They were resolved to have no more to do with either of their generals, but how to lay them aside [was the difficulty]; especially the earl of Essex, who had been so entirely their founder, that they owed not more to the power and reputation of parliament, than to his sole name and credit: the being able to raise an army, and conducting it to fight against the king, was purely due to him, and the effect of his power. And now to put such an affront upon him, and to think of another general, must appear the highest ingratitude, and might provoke the army itself, where he was still exceedingly beloved; and to continue him in that trust, was to betray their own designs, and to render them impracticable. Therefore, till they could find some expedient to explicate and disentangle themselves out of this labyrinth, they made no advance towards the recruiting or supplying their armies, nor to provide for any winter expedition; only they sent Waller out, with such troops towards the west, as they cared not for, and resolved to use their service no more.

They knew not how to propose the great alterations, they intended, to the parliament; and of all men, the Scotch commissioners were not to be trusted. In the end, they resolved to pursue the

method in which they had been hitherto so successful, and to prepare and ripen things in the church, that they might afterwards in due time grow to maturity in the parliament. They agreed therefore in the houses, (and in those combinations they were always unanimous,) "that they would have "a solemn fast-day, in which they would seek "God," (which was the new phrase they brought from Scotland with their covenant,) "and desire "his assistance, to lead them out of the perplexities they were in;" and they did as readily agree in the nomination of the preachers who were to perform that exercise, and who were more trusted in the deepest designs, than most of those who named them were: for there was now a schism among their clergy, as well as the laity, and the independents were the bolder and more political men.

When the fast-day came, (which was observed for eight or ten hours together in the churches,) the preachers prayed "the parliament might be inspired with those thoughts, as might contribute "to their honour and reputation; and that they "might preserve that opinion the nation had of "their honesty and integrity, and be without any "selfish ends, or seeking their own benefit and "advantage." After this preparation by their prayers, the preachers, let their texts be what they would, told them very plainly, "that it was no "wonder there was such division among them in "their counsels, when there was no union in their "hearts: that the parliament lay under many reproaches, not only among their enemies, but "with their best friends; who were the more out "of countenance, because they found that the "aspersions and imputations which their enemies "had laid upon them were so well grounded, that "they could not wipe them off: that there was as "great pride, as great ambition, as many private "ends, and as little zeal and affection for the public, as they had ever imputed to the court: that, "whilst they pretended, at the public cost, and "out of the purses of the poor people, to make "a general reformation, they took great care to "grow great and rich themselves; and that both "the city and kingdom took notice, with great "anxiety of mind, that all the offices of the army, "and all the profitable offices of the kingdom, "were in the hands of the members of the two "houses of parliament; who, whilst the nation "grew poor, as it must needs do under such insupportable taxes, grew very rich; and would, in "a short time, get all the money of the kingdom "into their hands; and that it could not reasonably be expected, that such men, who got so "much, and enriched themselves to that degree, "by the continuance of the war, would heartily "pursue those ways which would put an end to it; "the end whereof must put an end to their exorbitant profit." And when they had exaggerated these reproaches as pathetically as they could, and the sense the people generally had of the corruption of it, even to a despair of ever seeing an end of the calamities they sustained, or having any prospect of that reformation in church and state, which they had so often and so solemnly promised to effect, they fell again to their prayers, "that "God would take his own work into his hand; "and if the instruments he had already employed "were not worthy to bring so glorious a design to "a conclusion, that he would inspire others more

"fit, who might perfect what was begun, and "bring the trouble of the nation to a godly "period."

When the two houses met together, the next day after these devout animadversions, there was another spirit appeared in the looks of many of them. Sir Henry Vane told them, "if ever God had appeared to them, it was in the exercise of yesterday; and that it appeared, it proceeded from "God, because (as he was credibly informed by "many, who had been auditors in other congregations) the same lamentations and discourses had "been made in all other churches, as the godly "preachers had made before them; which could "therefore proceed only from the immediate Spirit "of God." He repeated some things which had been said, upon which he was best prepared to enlarge; and besought them "to remember their "obligations to God, and to their country; and "that they would free themselves from those just "reproaches; which they could do no otherwise, "than by divesting themselves of all offices and "charges, that might bring in the least advantage "and profit to themselves; by which only they "could make it appear, that they were publichearted men; and as they paid all taxes and "impositions with the rest of the nation, so they "gave up all their time to their country's service, "without any reward or gratuity."

He told them, "that the reflections of yesterday, "none of which had ever entered upon his spirit before, had raised another reflection in him than "had been mentioned; which was, that it had "been often taken notice of, and objected by the "king himself, that the numbers of the members "of parliament, who sat in either house, were too "few to give reputation to acts of so great moment, as were transacted in their councils; which, "though it was no fault of theirs, who kept their "proper stations, but of those who had deserted "their places, and their trusts, by being absent "from the parliament; yet that, in truth, there "were too many absent, though in the service of "the house, and by their appointment; and if all "the members were obliged to attend the service "of the parliament, in the parliament, it would "bring great reputation to their numbers, and the "people would pay more reverence, and yield a "fuller obedience to their commands:" and then concluded, "that he was ready to accuse himself "for one of those who gained by an office he had; "and though he was possessed of it before the "beginning of the troubles, and owed it not to "the favour of the parliament," (for he had been joined with sir William Russel in the treasurership of the navy, by the king's grant,) "yet he was "ready to lay it down, to be disposed of by the "parliament; and wished, that the profits thereof "might be applied towards the support of the "war."

When the ice was thus broke, Oliver Cromwell, who had not yet arrived at the faculty of speaking with decency and temper, commended the preachers "for having dealt plainly and impartially, and told them of their faults, which "they had been so unwilling to hear of: that "there were many things, upon which he had "never reflected before, yet upon revolving what "had been said, he could not but confess, that all "was very true; and till there were a perfect reformation in those particulars which had been

"recommended to them, nothing would prosper that they took in hand: that the parliament had done very wisely, in the entrance into the war, to engage many members of their own in the most dangerous parts of it, that the nation might see that they did not intend to embark them in perils of war, whilst themselves sat securely at home out of gunshot, but would march with them where the danger most threatened; and those honourable persons, who had exposed themselves this way, had merited so much of their country, that their memories should be held in perpetual veneration; and whatsoever should be well done after them, would be always imputed to their example: but, that God had so blessed their army, that there had grown up with it, and under it, very many excellent officers, who were fit for much greater charges than they were now possessed of;" and desired them "not to be terrified with an imagination, that if the highest offices were vacant, they would not be able to put as fit men into them; for, besides that it was not good to put so much trust in any arm of flesh, as to think such a cause as this depended upon any one man, he did take upon him to assure them, that they had officers in their army, who were fit to be generals in any enterprise in Christendom."

He said, "he thought nothing so necessary as to purge and vindicate the parliament from the partiality towards their own members;" and made a proffer to lay down his commission of command in the army; and desired, "that an ordinance might be prepared, by which it might be made unlawful for any member of either house of parliament to hold any office or command in the army, or any place or employment of profit in the state;" and so concluded with an enlargement upon "the vices and corruptions which were gotten into the army; the profaneness, and impiety, and absence of all religion; the drinking and gaming, and all manner of license, and laziness;" and said plainly, "that till the whole army were new modelled, and governed under a stricter discipline, they must not expect any notable success in any thing they went about."

And this debate ended in appointing a committee, "to prepare an ordinance for the exclusion of all members from the trust aforesaid;" which took up much debate, and depended very long before it was brought to a conclusion; and in the end was called the *self-denying ordinance*; the driving on of which exceedingly increased the inclination of the other party to peace; which they did now foresee would only prevent their own ruins, in that of the kingdom.

Advice came from so many several hands to Oxford, that the king should send a message to the houses for peace, with an assurance that it would not be rejected, that his majesty (who still apprehended as great a division among his own friends upon the conditions of peace, out of the universal weariness of the war, as he discerned there was among his enemies upon the emulation in command, or differences in religion) entered upon the consideration how to bring it to pass. The members of parliament were still sitting at Oxford: but they at London who were most desirous of peace, had given warning to avoid that rock; and that their names should never be men-

tioned; which would have procured an union between the most irreconcilable parties, in throwing out such overtures. On the other side, the sending a bare message, by a trumpet, was not probably like to produce any other effect, than an insolent answer in the same way, or no answer at all, as his two or three last messages had done.

In conclusion, the king resolved that there should be a short message drawn; in which "the continuance of the war, and the mischiefs it brought upon the kingdom, should be lamented: and therefore his desire expressed, that some reasonable conditions of peace might be thought upon; assuring them that his majesty would be willing to consent to any thing, that could consist with his conscience and honour." He resolved, that he would send this message by some persons of condition; who might, upon conference with their friends, be able to make some impression; at least discover what might be reasonably expected. And if the parliament should refuse to grant a safe conduct for such messengers, it might well be presumed, what reception the message itself was like to find. The persons he resolved to send, were the duke of Richmond, and the earl of Southampton; both of unblemished honour, and of general reputation in the kingdom. So a trumpet was sent to the earl of Essex for a safe guard, or pass, to those two lords; to the end they might deliver a message from the king to the two houses concerning a treaty of peace. To which the earl of Essex only answered, "that he would acquaint the houses with it, and return their answer;" and so dismissed the trumpet.

The king had now done his part; and the rest was to be perfected there. They who were resolved never to admit a peace, though they could not still prevent a treaty, thought they had advantage enough to object against this unusual message: "If the message itself had been sent, they might have judged, whether it had been like to be attended with good success, and so might have accepted a treaty, if they had approved of it; but this sending of messengers before they knew what they would bring, was an invention to begin a treaty before they admitted it; and to send enemies into their quarters, with authority to scatter their poison abroad;" and therefore, with great passion, they pressed, "that no such pass should be sent." On the other hand it was, with equal passion, alleged, "that the refusal of the safe conduct was a total rejection of peace, before they understood upon what terms it would be offered; which the people would take very ill from them, and conclude that the war must continue for ever; they therefore wished that a safe guard might be sent without delay, and that they would have a better opinion of their friends, than to imagine that the presence or power of two men, how considerable soever, would be able to corrupt or pervert their affections from the parliament."

In this opinion the Scottish commissioners likewise concurred; so that the other party found it necessary to consent, and the safe conduct, after many debates, was sent accordingly. But that they might not seem to their friends abroad to be overpowered, they revenged themselves in pursuing the despatch of their *self-denying ordinance* with great vehemence; and because the effect of

that was manifestly that they should be without a general, it was already proposed, "that sir Thomas Fairfax" (who had behaved himself so signally in their service in the defeat of colonel Bellasis, and taking him prisoner, which gave them their first footing in Yorkshire, from their being shut up and besieged in Hull; in the overthrow of the lord Byron, and taking all the Irish regiments; and lastly in the late battle at York, where he had turned the fortune of the day, when the Scots' army was routed, and their general fled) "might now be made their general;" for which Oliver Cromwell assured them he was very equal. And in the discourses upon this subject, (which found all opposition,) as the service of the earl of Essex was much magnified, and his merit extolled, by those who desired to have no other general, so it was undervalued and depressed, with some bitterness and contumely, by those who believed that all they could do would be to no purpose, if he were not totally excluded from any power.

Shortly after the beginning of December, the duke of Richmond and the earl of Southampton, upon their pass, went from Oxford to London; where they were advised not to go much abroad, lest the people should be apt to do them injury; and very few had the courage to come to them, except with great privacy. Only the Scottish commissioners, as men in sovereign authority, and independent upon the parliament, made no scruple of visiting them, and being visited by them. The houses did not presently agree upon the manner of their reception, how they should deliver their message; in which there had been before no difficulty, whilst the war was carried on only by the authority of the parliament. Then the message being delivered to either house, was quickly communicated to the other; but now the Scottish commissioners made a third estate, and the message was directed to them as well as to the houses. In the end it was resolved, "that there should be a conference between the two houses in the painted chamber; at which the Scottish commissioners should be present, and sit on one side of the table; and that the upper end of it should be kept for the king's messengers:" where there was a seat provided for them, all the rest being bare, and expecting that they would be so too: for though the lords used to be covered whilst the commons were bare, yet the commons would not be bare before the Scottish commissioners; and so none were covered. But as soon as the two lords came thither, they covered, to the trouble of the other; but, being presently to speak, they were quickly freed from that eyesore.

The [two] lords used very few words, in letting them know the king's great inclinations to peace; and delivered and read their message to that purpose; which was received by the lords without any other expressions than "that they should report it to the houses;" and so the meeting broke up: and then many of the lords, and some of the commons, passed some compliments and ceremony to the two lords, according to the acquaintance they had with them, and found opportunities to see them in private, or to send confident persons to them. They found there were great divisions among them, and upon points that would admit no reconciliation: and therefore they believed that there would be a treaty of peace; but they could not make any such guess of the moderation

of the conditions of the peace, as to conclude that it would be with effect. For they that most desired the peace, and would have been glad to have had it upon any terms, durst not own that they wished it, but upon the highest terms of honour and security for the parliament; which could neither be secure nor honourable for the king. They discovered, that they who did heartily wish the peace, did intend to promote a treaty between persons named by the king and persons named by the parliament, to meet at some third place, and not that they should send commissioners to Oxford to treat with the king himself; which they had already found to be ineffectual, and not like to produce a better end: whereas they did believe, or seemed to believe, that how unreasonable soever the propositions should be, upon which they treated, they would, by yielding to some things, when they refused others, sooner prevail with the houses to mollify their demands, than at first to reform them.

This method was not ungrateful to the two lords; who had the same conceptions, that, if sober men were named for commissioners, somewhat would result from the freedom of their communication. And the duke of Richmond sent his secretary Web expressly to Oxford, to know the king's pleasure, "whether, if a third place were proposed for commissioners on both sides to meet, they should consent to it?" which his majesty (though he had no mind to trust others, but where himself was present) was persuaded to approve. But all this was but discourse, and private wishes: for it was never brought into debate; and it was told them very plainly, "that, as long as they stayed in town, the houses would never so much as confer upon the subject of their message; because they found it would be matter of great debate, and spend much time; during which they did not desire their company, nor to be troubled with their infusions." And therefore, as soon as they had received the king's message, they proceeded upon their trial of the archbishop of Canterbury before both houses of parliament, upon an impeachment of high treason, resolving likewise to give that evidence to the people, of what resolution they had to make a peace with the king. The two lords, observing this affected delay in the business they were sent about, and being advised by their friends not to stay longer, but to expect the determination to be sent to Oxford, returned to the king, with some confidence that a treaty would be consented to; and that it would be at some third place, and not at Oxford, and less at London, by commissioners which should be agreed on by both sides. But they brought an express desire, and even a condition to the king, from all those with whom they had conferred, and who were the chief persons who advanced the treaty, "that, if that which they laboured for should be yielded to by the parliament, his majesty would not name a person" (whom they mentioned to the king) "for one of his commissioners; for that he was so odious, that they would absolutely decline the treaty, before they would admit him to be one of the treaters."

It was, as is said before, a very sad omen to the treaty, that, after they had received the king's message by those noble lords, and before they returned any answer to it, they proceeded in the trial of the







**WILLIAM LAUD, ARCHBISHOP OF CANTERBURY,**

**OB. 1645.**

**FROM THE ORIGINAL OF VANDOE IN THE COLLECTION OF**

**HIS GRACE THE ARCHBISHOP OF CANTERBURY**



archbishop of Canterbury; who had lain prisoner in the Tower, from the beginning of the parliament, full four years, without any prosecution till this time, when they brought him to the bars of both houses; charging him with several articles of high treason; which, if all that was alleged against him had been true, could not have made him guilty of treason. They accused him "of a design to bring in popery, and of having correspondence with the pope," and such like particulars, as the consciences of his greatest enemies absolved him from. No man was a greater or abler enemy to popery; no man a more resolute and devout son of the church of England. He was prosecuted by lawyers, assigned to that purpose, out of those, who from their own antipathy to the church and bishops, or from some disobligations received from him, were sure to bring passion, animosity, and malice enough of their own; what evidence soever they had from others. And they did treat him with all the rudeness, reproach, and barbarity imaginable; with which his judges were not displeased.

He defended himself with great and undaunted courage, and less passion than was expected from his constitution; answered all their objections with clearness and irresistible reason; and convinced all men of his integrity, and his detestation of all treasonable intentions. So that though few excellent men have ever had fewer friends to their persons, yet all reasonable men absolved him from any foul crime that the law could take notice of, and punish. However, when they had said all they could against him, and he all for himself that need to be said, and no such crime appearing, as the lords, as the supreme court of judicatory, would take upon them to judge him to be worthy of death, they resorted to their legislative power, and by ordinance of parliament, as they called it, that is, by a determination of those members who sat in the houses, (whereof in the house of peers there were not above twelve,) they appointed him to be put to death, as guilty of high treason. The first time that two houses of parliament had ever assumed that jurisdiction, or that ever ordinance had been made to such a purpose, nor could any rebellion be more against the law, than that murderous act.

When the first mention was made of their monstrous purpose, of bringing the archbishop to a trial for his life, the chancellor of the exchequer, who had always a great reverence and affection for him, had spoken to the king of it, and proposed to him, "that in all events, there might be a pardon prepared, and sent to him, under the great seal of England; to the end, if they proceeded against him in any form of law, he might plead the king's pardon; which must be allowed by all who pretended to be governed by the law; but if they proceeded in a martial, or any other extraordinary way, without any form of law, his majesty should declare his justice and affection to an old faithful servant, whom he much esteemed, in having done all towards his preservation that was in his power to do." The king was wonderfully pleased with the proposition; and took from thence occasion to commend the piety and virtue of the archbishop, with extraordinary affection; and commanded the chancellor of the exchequer to cause the pardon to be drawn, and his majesty would sign and seal it with all possible secrecy; which at that time was necessary. Whereupon

the chancellor sent for sir Thomas Gardiner, the king's solicitor, and told him the king's pleasure; upon which he presently prepared the pardon, and it was signed and sealed with the great seal of England, and carefully sent, and delivered into the archbishop's own hand, before he was brought to his trial; who received it with great joy, as it was a testimony of the king's gracious affection to him, and care of him, without any opinion that they who endeavoured to take away the king's life, would preserve his by his majesty's authority.

When the archbishop's council had perused the pardon, and considered that all possible exceptions would be taken to it, though they should not reject it, they found, that the impeachment was not so distinctly set down in the pardon as it ought to be; which could not be helped at Oxford, because they had no copy of it; and therefore had supplied it with all those general expressions, as, in any court of law, would make the pardon valid against any exceptions the king's own council could make against it. Hereupon, the archbishop had, by the same messenger, returned the pardon again to the chancellor, with such directions and copies as were necessary; upon which it was perfected accordingly, and delivered safely again to him, and was in his hands during the whole time of his trial. So when his trial was over, and the ordinance passed for the cutting off his head, and he called and asked, according to custom in criminal proceedings, "what he could say more, why he should not suffer death?" he told them, "that he had the king's gracious pardon, which he pleaded, and tendered to them, and desired that it might be allowed." Whereupon he was sent to the Tower, and the pardon read in both houses; where, without any long debate, it was declared "to be of no effect, and that the king could not pardon a judgment of parliament." And so, without troubling themselves farther, they gave order for his execution; which he underwent with all Christian courage and magnanimity, to the admiration of the beholders, and confusion of his enemies. Much hath been said of the person of this great prelate before, of his great endowments, and natural infirmities; to which shall be added no more in this place, (his memory deserving a particular celebration,) than that his learning, piety, and virtue, have been attained by very few, and the greatest of his infirmities are common to all, even to the best men.

When they had despatched this important work, and thereby received a new instance of the good affection and courage of their friends, and involved the two houses in fresh guilt and obloquy, (for too many concurred in it, without considering the heinousness of it, and only to keep their credit clear and entire, whereby they might with the more authority advance the peace that was desired,) they now enter upon the debate, "what answer they should send the king, concerning a treaty for peace." They who desired to advance it, hoped thereby to put an end to all the designs of new modelling the army, and to prevent the increase of those factions in religion, which every day broke out among them, to the notorious scandal of Christianity. They who had no mind to a treaty, because they had minds averse from all thoughts of peace, discerned plainly, that they should not be able to finish their design upon the army, and set many other devices on foot, which would contribute

to their convenience, until this longed-for treaty were at an end; and therefore they all agreed to give some conclusion to it; and resolved, that there should be a treaty, and upon the method that should be observed in the conducting it; from which they who should be employed by them, should not recede or be diverted.

And then they nominated sixteen commissioners for the two houses, and four for the parliament of Scotland, and named Uxbridge for the place where the treaty should be; which treaty should be limited to be finished within twenty days from the time when it should begin.

Upon this conclusion, they sent their answer to the message they had received from the king by a trumpet, in a letter from their general to the king's general; in which they informed his majesty, "that, out of their passionate desire of peace, they had agreed to his proposition for a treaty; and that they had assigned Uxbridge for the place where it should be; and had appointed the earl of Northumberland, the earl of Pembroke, the earl of Salisbury, and the earl of Denbigh, of the house of peers; and of the commons, the lord Wainman, Mr. Pierpoint, Mr. Hollis, Mr. Saint-John," (whom they called the king's solicitor general), "sir Henry Vane the younger, Mr. Whitlock, Mr. Crew, and Mr. Prideaux; and for the kingdom of Scotland, the lord Lowden, chancellor of Scotland, the lord Maitland," (who, by the death of his father, became earl of Lauderdale by the time of the treaty), "sir Charles Erskin, and one Mr. Barclay, to be their commissioners; together with Mr. Alexander Henderson, in matters only which relate to the church; to treat, upon the particulars they had intrusted them with, with such persons, as his majesty should please to nominate; for all whom a safe conduct should be sent, as soon as his majesty had named them; as they desired his majesty's safe conduct for the persons named by them:" to none of which the king took any exception, but signed their pass; and sent word to the houses, "that he accepted the treaty, and the place, and that he had nominated, as commissioners for him, the duke of Richmond, the marquis of Hertford, the earl of Southampton, the earl of Kingston, the earl of Chichester, the lord Capel, the lord Seymour, the lord Hatton, controller of the king's household; the lord Colepepper, master of the rolls; sir Edward Hyde, chancellor of the exchequer; sir Edward Nicholas, principal secretary of state; sir Richard Lane, lord chief baron of his court of exchequer; sir Thomas Gardiner, his majesty's solicitor general; sir Orlando Bridgman, attorney of his court of wards; Mr. John Ashburnham, and Mr. Geoffrey Palmer; and desired that a safe conduct might be sent for them, as his majesty had sent for the others; and they should then be ready, at the day that was set down, at Uxbridge."

When this was returned to Westminster, there arose new disputes upon the persons named by the king, or rather against the additions, and appellations of title, which were made to their names; for they did not except against the persons of either of them, though many were most ungracious to them.

When the lord keeper Littleton had fled from Westminster, upon his majesty's commands to attend him at York, the two houses had, in their

fury, declared, "that nothing which should, from that time, pass under the great seal, should be good and valid, but void and null." Which they did to discredit any commission, which they foresaw might issue out for their conviction, trial, and attainder: and, in some time after, they had caused a great seal to be made with the king's image, for the despatch of the necessary process in law, and proceedings in courts of justice; which seal was committed by them to some of their members, who had sat in the chancery, and transacted the business of that court, and applied the seal to all those uses and purposes it had been accustomed unto. They found this declaration and ordinance of theirs invaded in this message they had now received from the king. The lord Dunsmore was created earl of Chichester; sir Christopher Hatton, lord Hatton; sir John Colepepper, lord Colepepper, with the addition of master of the rolls; which office they had bestowed upon Lenthall their speaker, who was in possession of it; sir Edward Hyde was declared chancellor of the exchequer; which, though it was an office they had not meddled with bestowing, yet it had passed the great seal, after it came into the king's hands. Sir Thomas Gardiner was made the king's solicitor; and the patent formerly granted to their beloved Saint-John, stood revoked, which they would not endure, having, as is said, annexed that title to his name when they mentioned him as a commissioner for their treaty. They had the same exception to the chief baron, and to the attorney of the wards; both which offices were in the possession of men more in their favour.

After long debate, they were contented to insert their names in their safe conduct, without their honours or offices; and they were so angry with the chancellor of the exchequer, that they had no mind that he should be styled a knight, because he was not so when he left the parliament: but the Scottish commissioners prevailed in that point, since they had not yet pretended to take away the use of the king's sword from him; so they allowed him, by a majority of votes, to be a knight, and sent their safe conduct, in the manner as is mentioned, to Oxford: upon which the king, upon the desire of the persons concerned, forbore to insist; but giving them still in his own pass, and in his commission whereby they were authorized to treat with them, the style and appellation which belonged to them, and which must be allowed by the others before they began to treat. The style of their pass was not thought worthy any reply; and because there was private animadversion given at the same time, "that they would not, when they met at the treaty, consider any authority that qualified them to treat, but only what should be under the king's sign-manual," though they would not take that for a sufficient warrant for themselves to treat with the king's enemies; at last they were contented, together with a commission under the great seal of England, to take another likewise with them in that form, and only under the sign-manual, as was desired.

About the end of January, or the beginning of February, the commissioners on both sides met at Uxbridge; which being within the enemy's quarters, the king's commissioners were to have such accommodations, as the other thought fit to leave to them; who had been very civil in the distribution, and left one entire side of the town to the king's commissioners, one house only excepted,

which was given to the earl of Pembroke; so that they had no cause to complain of their accommodation, which was as good as the town would yield, and as good as the other had. There was a fair house at the end of the town, which was provided for the treaty, where was a fair room in the middle of the house, which was handsomely dressed up for the commissioners to sit in; a large square table being placed in the middle, and some seats for the commissioners, one side being sufficient for those of either party, and a rail for others who should be thought necessary to be present, which went round. There were many other rooms on either side of this great room, for the commissioners on either side to retire to, when they thought fit to consult together, and to return again to the public debate; and there being good stairs at either end of the house, they never went through each other's quarters; nor met, but in the great room.

As soon as the king's commissioners came to the town, all those of the parliament came to visit and to welcome them, and, within an hour, those of the king's returned their visits with ordinary civilities; each professing great desire and hope, that the treaty would produce a good peace. The visits were all together, and in one room; the Scots being in the same room with the English; either party eating always together, there being two great inns which served very well to that purpose. The duke of Richmond, being steward of his majesty's house, kept his table there for all the king's commissioners: nor was there any restrained from giving and receiving visits apart, as their acquaintance and inclinations disposed them; in which those of the king's party used their accustomed freedom, as heretofore. But on the other side there was great wariness and reservedness, and so great a jealousy of each other, that they had no mind to give or receive visits to or from their old friends, whom they loved better than their new. Nor would any of them be seen alone with any of the king's commissioners, but had always one of their companions with them, and sometimes one whom they least trusted. It was observed by the town, and the people that flocked thither, that the king's commissioners looked as if they were at home, and governed the town, and the other as if they were not in their own quarters: and the truth is, they had not that alacrity and serenity of mind, as men use to have who do not believe themselves to be in a fault.

The king's commissioners would willingly have performed their devotions in the church, nor was there any restraint upon them from doing so, that is, by inhibition from the parliament, otherwise than that by the parliament's ordinance (as they called it) the Book of Common Prayer was not permitted to be read, nor the vestures nor ceremonies of the church to be used. So that the days of devotion were observed in their great room of the inn; whither many of the country, and the train of the commissioners, and other persons, who came every day from London, usually resorted.

When the commissioners on both sides met first together in the room appointed for the treaty, and had taken their seats, it being left to the king's commissioners which side of the table they would take, the earl of Northumberland, who always delivered any thing that was agreed between them, and read all the papers, (after the powers of both

sides were examined and perused,) proposed some rules to be observed in the treaty; "of having" "nothing binding, except all were agreed upon," and such like; to which there was no objection; and proposed, as a direction they had received from the parliament, "that they should first enter upon" "the matter of religion, and treat four entire days" "upon that subject, without entering upon any" "other; and if all differences in that particular" "were not adjusted within those days, they should" "then proceed to the next point, which was the" "militia; and observe the same method in that," "and from thence pass to the business of Ireland;" "which three points being well settled, they believed the other differences would be with more" "ease composed: and after those twelve days were" "passed, they were to go round again upon the" "several subjects, as long as the time limited" "would continue: his majesty being left at liberty" "to propose what he thought fit, at his own time," "and to break the method proposed." And it was declared, "that the twenty days, limited for" "the treaty, were to be reckoned of the days" "which should be spent in the treaty, and not the" "days of coming or returning, or the days spent" "in devotion;" there falling out three Sundays and one fast-day in those first twenty days. The method was willingly consented to; the king's commissioners conceiving it would be to no purpose to propose any thing on the king's behalf, till they discerned what agreement was like to be made in any one particular; by which they might take their measures, and they could propose any thing of moment under one of the three heads mentioned before.

There happened a very odd accident, the very first morning they met at the house to agree upon their method to be observed in the treaty. It was a market-day, when they used always to have a sermon, and many of the persons who came from Oxford in the commissioners' train, went to the church to observe the forms. There was one Love, a young man, that came from London with the commissioners, who preached, and told his auditory, which consisted of the people of the town, and of those who came to the market, the church being very full, "that they were not to expect any" "good from the treaty; for that they were men of" "blood who were employed in it from Oxford," "who intended only to amuse the people with expectation of peace, till they were able to do some" "notable mischief to them;" and inveighed so seditiously against all cavaliers, that is, against all who followed the king, and against the persons of the commissioners, that he could be understood to intend nothing else, but to stir up the people to mutiny, and in it to do some act of violence upon the commissioners. Who were no sooner advertised of it, by several persons who had been present in the church, and who gave very particular information of the very words which had been spoken, than they informed the other commissioners of it; gave them a charge in writing against the preacher, and demanded public justice. They seemed troubled at it, and promised to examine it, and cause some severe punishment to be inflicted upon the man; but afterwards confessed, "that" "they had no authority to punish him, but that" "they had caused him to be sharply reprehended," "and to be sent out of the town;" and this was all that could be obtained; so unwilling they

were to discountenance any man who was willing to serve them. This is the same Love, who some years after, by Cromwell's particular prosecution, had his head cut off, upon Tower Hill, for being against the army.

It is not the purpose of this discourse to set down the particular transactions of this treaty; which were published by the king's order, shortly after the conclusion of it, and all the papers which had been delivered by the commissioners on either side, exposed to the view of the kingdom, in the method and manner in which they were delivered. Only such particulars as fell out in that time, and were never communicated, and many of them known to very few, shall be shortly mentioned, that they, who hereafter may have the perusal of this [history], may know how impossible it was, that this treaty could produce such a peace as both sides would have been glad of; and that they who governed the parliament then, had at that time the resolution to act those monstrous things, which they brought afterwards to pass.

The first business to be entered upon being that of religion, the divines of both sides were admitted to be present in the places appointed for them, opposite to each other; and Dr. Steward, clerk of the closet to the king, was a commissioner, as Mr. Henderson was on the other side; and they both sat covered without the bar, at the backs of the commissioners. On the parliament part it was proposed, "that all the bishops, deans, and chapters might be immediately taken away and abolished; and in the room thereof, that there might be another government erected, such as should be most agreeable to God's word, and the practice of the best churches: that the Book of Common Prayer might be taken away, and totally suppressed; and that, instead thereof, a Directory might be used," (in which there was likewise set down as much of the government which they meant to erect for the future, as was necessary to be provided for the present, and which supplied all the use of articles or canons, which they had likewise abolished;) and "that the king himself should take the covenant, and consent to an act of parliament, whereby all persons of the kingdom should be likewise obliged to take it." And the copies of the Covenant and the Directory were delivered at the same time to the king's commissioners; which were very long, and necessary to be read over, before any answer could be made to them. So they took that afternoon to peruse them together, and adjourned their treaty till the next morning; and though they entered upon the reading them before dinner, the Directory was so very long, that they spent all that afternoon, and some part of the night, before they had finished the reading of them. Then, there being many new terms in the Directory, as *congregational*, *classical*, *provincial*, and *synodical*, which were not known in practice, and some expressions in the Covenant which were ambiguous, and, they well knew, were left so, because the persons who framed them were not all of one mind, nor had the same intentions in some of the other terms mentioned before, the king's commissioners caused many questions to be prepared in writing, to be offered at the next meeting; wherein they desired to be informed, what their meaning was in such and such expressions, in which they knew well they had several meanings, and would hardly concur in one and

the same answer: the preparing such papers was throughout the treaty always committed to the chancellor.

Within a day or two after the beginning of the treaty, or rather the day before it did begin, the earl of Lowden, chancellor of Scotland, visited the duke of Richmond privately in his chamber; and either proposed, or was very willing, to have private conference there with the chancellor of the exchequer; upon which the duke, who knew well the other would not decline it, sent to him; and he presently went to the duke's chamber, where he found them both; and after some short compliments, the earl told him, "how stoutly he had defended his knighthood; which the parliament had resolved to have denied, if he had not convinced them." From thence he discoursed of "the great prejudice the parliament had against him, as a man who more industriously opposed peace than any other of the king's council: that he had now a good opportunity to wipe off all those jealousies, by being a good instrument in making this peace, and by persuading his majesty to comply with the desires and supplications of his parliament; which he hoped he would be."

The chancellor told him, "that the king did so much desire a peace, that no man need advise him, or could divert him, if fair and honourable conditions of peace were offered to him; but if a peace could not be had, but upon such conditions as his majesty judged inconsistent with his honour or his conscience, no man could have credit enough to persuade him to accept it; and that, for his own part, without reflecting upon the good or ill opinion the parliament might have of him, he would dissuade him from consenting to it." The other seemed disappointed in his so positive answer; yet, with great freedom, entered upon discourse of the whole matter; and, after some kind of apology, "that Scotland was so far engaged in the quarrel, contrary to their former intentions and professions," he did as good as conclude, "that if the king would satisfy them in the business of the church, they would not concern themselves in any of the other demands." In which proposition, finding no kind of compliance from the chancellor of the exchequer, but sharp protestations against the demands, as inconsistent with conscience, justice, or religion, the conference broke off, without inclination in either of them to renew it. But, from that time, there was more contradiction, and quick repartees between them two throughout the treaty, than between any other of the body of the commissioners. And it was manifest enough, by the private conferences with other of the commissioners, that the parliament took none of the points in controversy less to heart, or were less united in, than in what concerned the church.

When, upon the next meeting of the commissioners, the questions, which were mentioned before, were read, and delivered by the duke of Richmond, who always performed that part on the behalf of the king's commissioners, as the earl of Northumberland did on the parliament's, there was a visible disorder in their countenances; some of them, smiling, said, We looked into their game; but without offering at any answer, they arose, and went to their room of consultation; where they remained in great passion, and wrangling, many hours: so that the other commissioners,

finding that they were not like suddenly to agree, adjourned till the afternoon, and departed to dinner. As soon as they came together in the afternoon, and were sat, the earl of Northumberland said, "that they wondered there should appear any difficulty in any expressions, upon which those questions had been administered in the morning; which to them seemed very clear and plain; however, to give their lordships satisfaction, that they had appointed another noble lord, there present, who was well acquainted with the signification of all those words, to explain what the common sense and meaning of them was." Thereupon, the earl of Lauderdale made a discourse upon the several questions, and what acceptation those expressions and words had. But being a young man, not accustomed to an orderly and decent way of speaking, and having no gracious pronunciation, and full of passion, he made every thing much more difficult than it was before: so that the commissioners desired, "that they might receive an answer in writing; since it was declared upon the entrance of the treaty, that though in debate any man might say what he thought necessary, yet nothing should be understood to be the sense of either side, but what was delivered in writing; and therefore they desired, that what that noble lord had said, which they presumed was the sense of all the rest, because they had referred to him, and seemed satisfied with what he had delivered, might be given to them in writing; without which they knew not how to proceed, or give an answer to what was proposed to them." This demand, founded upon a rule of their own, which they knew not how to decline, put the Scottish commissioners into great passion: for all the English sat still without speaking a word, as if they were not concerned. The lord Lauderdale repeated what he had said before, a little more distinctly; and the chancellor of Scotland said, "that the things were so plain, that every man could not choose but understand, and remember what was spoken; and that the pressing to put it in writing was only to spend time; which would be quickly out, half the four days assigned for the business of religion being to expire that night;" and therefore passionately desired them, that they would rest satisfied with what had been spoken, and proceed upon the matter."

It was replied, "that they could not trust their memories so far, as to prepare an answer to their demands concerning the covenant, or directory, except they were sure that they understood the full and declared meaning of their demand; which they had less reason now to believe they did, than before; since there was so much difficulty made to satisfy them in writing; and therefore they must insist upon receiving an answer to the papers they had given:" and two or three of the king's commissioners withdrew, and prepared another paper; in which they set down the reasons which obliged them not to be satisfied with the discourse which had been made, and why they must insist upon the having it in writing; which being communicated to the rest as they sat, was likewise delivered to the others; who could not refuse to receive it, though it was plain enough they never intended to give any answer in writing; nor they on the king's side, to desist from demanding it: but they declared,

"that as they presumed they should, in the end, receive their answer in writing, which they should not depart from, so it was their resolution not to defer their farther proceeding upon the matter; but they were ready to prosecute that in the method they would desire;" and so it was resolved, "the next morning, to hear the divines, who were of either party, what they would say against or for episcopacy, and the government, and lands of the church;" which were equally concerned in the debate.

On the king's part, besides Dr. Steward, who was a commissioner in matters relating to the church, there was Dr. Sheldon, afterwards archbishop of Canterbury; Dr. Lany, afterwards bishop of Ely; Dr. Fern, afterwards bishop of Chester; Dr. Potter, then dean of Worcester, and provost of Queen's college in Oxford; and Dr. Hammond; all who, being the king's chaplains, were sent by him to attend the commissioners for their devotions, and for the other service of the church, as the management of the treaty required; which could not be foreseen. On the parliament side, besides Mr. Alexander Henderson, who was the commissioner, Mr. Marshall, a country parson in Essex, and an eminent preacher of that party, who was the chief chaplain in the army; Mr. Vines, a parson likewise in Warwickshire, and a scholar, (both of them of the assembly of divines, and so, very conversant in those points relating to the church, which had been so often disputed there,) Mr. Cheynel, one who had been fellow of Merton college in Oxford, and two or three others; who, bearing no parts in the disputes, had not their names remembered.

Mr. Henderson began rather with rhetoric than logic, "of the necessity to change the government of the church for the preservation of the state; which was so much in danger, that it could be preserved no other way; and therefore that in conscience it ought to be consented to; that the question was not about the preservation of both, which, by the wisdoms of the parliaments of both nations, was found to be impossible; but since there could but one stand, whether they should be both sacrificed, or the church given up, that the state might be preserved: nor was the question now whether episcopacy was lawful, and the government by bishops consistent with religion; but whether it was so necessary, that religion could not be preserved without it; which was to condemn all the reformed churches of Europe, where there were no bishops, England only excepted. It ought therefore to suffice, that the parliament, which best understood what was good for the nation, had found it to be a very unnecessary, inconvenient, and corrupt government, that had been productive of great mischief to the kingdom from the very time of the reformation; that the bishops had always favoured popery, and preserved and continued many of the rights and customs thereof in their government and practice; and had of late introduced many innovations into the church, by the example and pattern of the church of Rome, and to the great scandal of the protestant churches of Germany, France, Scotland, and Holland; that they had been the occasion of the war between the two nations of Scotland and England; and then of the rebellion in Ireland; and now of the civil war in England; and thereupon, that the



"parliament, in order to the uniting all the protestant churches, which was the only way to extinguish popery, had resolved to change this inconvenient, mischievous government, and erect another in the place of it, which should advance piety and true religion; and that he hoped the king would concur in so godly an action, which would prove so much for his glory." He took notice of "an old answer formerly made by\* a king of England, when the alteration of some laws had been desired of him; *Nolumus leges Angliæ mutare*; which, he said, must be a mistake in the impression: that it was impossible for any king to lay it down as a rule, that he will not change the laws; for most kings had changed them often for their own and their subjects' benefit: but the meaning must be, *Nolumus leges Angliæ mutari*, we will change them as often as there shall be occasion, but we will not suffer them *mutari*, to be changed by the presumption of others, without our consent." He said, "they did not presume to think of compelling the king to change the government of the church; but they hoped he would willingly do it, upon the humble petition of both kingdoms, and for his own and their benefit: that he should say no more, till he should hear the reasons from the divines on the other side, why his majesty should not consent to the advice of his parliament, since he conceived nothing of conscience could be alleged against it, because it appeared by what his majesty had consented to in Scotland, for the utter abolishing of bishops, that he did not believe in his conscience that episcopacy was absolutely necessary for the support of Christian religion."

Dr. Steward, with a much better countenance, told the commissioners, "that he hoped and knew that their lordships were too well acquainted with the constitution of the church of England, and the foundation upon which it subsisted, to believe it could be shaken by any of those arguments which had been made against it." He said, "that though he did believe it was impossible to prove that a government, settled and continued without intermission, from the time when Christianity was first planted in England, and under which the Christian religion had so much flourished, was an unlawful and antichristian government; yet that he expected, that they who had sworn to abolish it, and came now to persuade their lordships to concur with them in pressing the king to join in the same obligation, would not urge a less argument for such their engagement, than the unlawfulness and wickedness of that government, which conscience obliged them to remove. But Mr. Henderson had wisely declined that argument, though in their common sermons, and other discourses in print, they gave it no better style than Antichristian; and had urged only the inconveniences which had fallen out from it, and the benefit which would result by the change, of which no judgment could be made, till it might be known what government they did intend to erect in the place of it; and since the union with the

"foreign protestant churches seemed to be their greatest reason for the prodigious alteration they proposed, he wished that they would set down, which foreign church it is, to which they meant to conform, and make their new government by; for that he was assured, that the model which they seem affected to in their Directory, was not like to any of the foreign reformed churches now in the world." He said, "though he would not take upon him to censure the foreign churches, yet it was enough known, that the most learned men of those churches had lamented, that their reformation was not so perfect as it ought to be, for want of episcopacy; which they could not be suffered to have: and they had always paid that reverence to the church of England, which they conceived due to it, as to the church to which God had vouchsafed the most perfect reformation, because it retains all that was innocent, and venerable in antiquity." He then enlarged upon the original institution of episcopacy; using all those arguments, which are still used by the most learned men in those disputes, to prove, that without bishops there could be no ordination of ministers, and consequently no administration of sacraments, or performance of the ministerial functions. He said, "he would not presume to say any thing of his majesty's having consented to the abrogation of episcopacy in Scotland, though he knew what his majesty himself thinks of it, only that he had an obligation upon him in conscience in this kingdom, which he had not in that, which was his coronation oath, by which he was bound to defend the rights of the church; which alone would make it unlawful for his majesty to consent to what was proposed, both in the point of episcopacy, and the alienation of the lands of the church; which would be direct sacrilege."

And upon these several points, and what resulted from thence, the divines on both sides spent all that day, morning and afternoon, till it was very late in the night, and most part of the next day; only the commissioners on either side, at the first coming together, mornings and afternoons, presented such papers as they thought fit, upon what had passed in debate: as, the king's commissioners desired to know in writing, "whether the parliament commissioners did believe that the government of the church by bishops was unlawful?" to which they could never obtain a categorical answer.

When the last of the four first days was past, (for it was near twelve of the clock at night,) and the Scottish commissioners observed that nothing was consented to which they looked for, the chancellor of Scotland entered into a long discourse, with much passion, against bishops, "of the mischief they had done in all ages, and of their being the sole causes of the late troubles in Scotland, and of the present troubles in England;" remembered, "that the archbishop of Canterbury had pursued the introduction of the liturgy and the canons into Scotland with so great vehemence, that, when it was desired that the publishing them might be suspended for one month, that the people might be the better prepared to submit to what they had not been before acquainted with, he would by no means consent to that delay; but caused it to be entered upon the next Sunday, against the advice of

[\* Let the reader take notice, that Mr. Henderson is mistaken in the English story. *Nolumus* &c. was not said by a king, but to him. See Coke upon the Statute of Merton, cap. 9.]

"many of the bishops themselves ; which put the people into such a fury, that they could not be appeased. He lamented and complained, that four days had been now spent in fruitless debates ; and that though their divines had learnedly made it appear, that episcopacy had no foundation in Scripture, and that it might be lawfully taken away ; and that notwithstanding it was evident that it had been the cause of great mischief, and the wisdom of parliament had thought the utter taking it away to be absolutely necessary for the preservation of the kingdom ; their lordships were still unmoved, and had yielded in no one particular of importance, to give them satisfaction ; from which they could not but conclude, that they did not bring that hearty inclination to peace, which they hoped they would have done ;" and so concluded with some expressions more rude and insolent than were expected.

Whereupon the chancellor of the exchequer, not without some commotion, said, "that he did not wonder that their lordships, who had for some years been accustomed to such discourses, and the more inclined to suppose all that was confidently said to be reasonably proved, and so having not been used to converse with any persons of a contrary opinion, had been brought to consent and approve those alterations, which they had proposed ; but that it seemed very admirable to him, that their lordships could expect, or imagine it possible, that they who never had heard such things said before, nor could understand in so little time what had been now said, should depart from a faith, and a form of worship, in which they had been educated from their cradle, and which, upon so long observation and experience, they looked upon with all possible approbation and reverence, upon only hearing it inveighed against four days ; which would have been much too little time to have warranted a conversion from much less important opinions, they had so long entertained ; though their arguments had had as much weight as they wanted." He said, "they were of opinion, that all those mischiefs and inconveniences which they had mentioned, had in truth proceeded from an over vehement desire to overthrow episcopacy, not from the zeal to support it : that if the archbishop of Canterbury had been too precipitate in pressing the reception of that, which he thought a reformation, he paid dearly for it ; which made him the more wonder, that they should blame them, for not submitting to much greater alterations, than were at that time proposed, in four days ; when they reproached him, for not having given them a whole month to consider." He said, "he might assure their lordships with great sincerity, that they were come thither with all imaginable passion and desire, that the treaty might conclude in a happy and blessed peace ; as he still hoped it would : but if it should be otherwise, that they would still believe their lordships brought with them the same honourable and pious inclinations, though the instructions and commands from those who trusted them, restrained them from consenting to what in their own judgments seemed reasonable." And so, without any manner of reply, both sides arose, and departed, it being near midnight.

There happened a pleasant accident on one of those days, which were assigned for the matter of religion. The commissioners of both sides, either before their sitting, or after their rising, entertaining themselves together by the fire-side, as they sometimes did, it being extremely cold, in general and casual discourses, one of the king's commissioners asked one of the other, with whom he had familiarity, in a low voice, "why there was not in their whole Directory any mention of the Lord's Prayer, Creed, or the Ten Commandments, and so little of the Lord's Prayer ?" as indeed there is not ; the earl of Pembroke, overhearing the discourse, answered aloud, and with his usual passion, "that he, and many others, were very sorry that they had been left out ; that the putting them in had taken up many hours' debate in the house of commons, and that at last the leaving them out had been carried by eight or nine voices ; and so they did not think fit to insist upon the addition of them in the house of peers ; but many were afterwards troubled at it, and he verily believed, if it were to do again, they should carry it for the inserting them all three ;" which made many smile, to hear that the Lord's Prayer, the Creed, and the Ten Commandments, had been put to the question, and rejected : and many of the other were troubled, and out of countenance with the reason the good lord had given for the exclusion.

The next subject of the treaty was the business of the militia ; which their commissioners positively required "to be entirely vested in the parliament, and in such persons as they thought fit to be confided in. This, they said, was more necessary than ever, for the securing the people from their fears and jealousies ; which were now much increased, and were capable of being assuaged by no other means ;" and delivered a large paper to that purpose, which contained no more than had been often said in their declarations, and as often answered in those which had been published by the king. And when the commissioners of the king, whereof there were four very eminent in the knowledge of the law, Lane, Gardiner, Bridgman, and Palmer, made the demand appear to be without any pretence of law or justice, and asserted it to be vested in the king by the law, they never offered to allege any other argument, than the determination of the parliament, which had declared the right of the militia to be in them, from which they could not recede ; so that the conferences were very short upon those days, but the papers very long which were mutually delivered ; the preparing whereof took up the time ; they of that side (even they who most desired the peace) both publicly and privately insisting "upon having the whole command of the militia by sea and land, and all the forts and ships of the kingdom at their disposal ; without which they looked upon themselves as lost, and at the king's mercy ;" without considering that he must be at theirs, if such a jurisdiction was committed to them. But in this particular, he who was most reasonable among them, thought it very unreasonable to deny them that necessary security ; and believed it could proceed from nothing else, but a resolution to take the highest vengeance upon their rebellion.

Then they entered upon the business of Ireland ; in which they thought they had the king at very

great advantage, and that his commissioners would not be able to answer the charges they should make upon that particular. And many of the commissioners on the king's part, who had not been well acquainted with those transactions, thought it would be a hard matter to justify all that the king had been necessitated to do; and any thing of grace towards the Irish rebels was as ungracious at Oxford as it was at London; because they knew the whole kingdom had a great detestation of them. They ripped up all that had been done from the beginning of that rebellion; "how the king had voluntarily committed the carrying on that war to the two houses of parliament; that they had levied great sums of money upon the kingdom for that service; but finding that it was like to bring a greater burden upon the kingdom than it could bear, that his majesty had consented to an act of parliament for the encouragement of adventurers to bring in money, upon assurance of having land assigned to them in that kingdom, out of the forfeitures of the rebels, as soon as the rebellion should be suppressed; and had likewise, by the same act, put it out of his power to make any peace or cessation with those rebels, or to grant pardon to any of them, without consent of parliament; and thereupon many of his majesty's subjects had brought in very considerable sums of money, by which they had been able to manage that war without putting this kingdom to farther charge; and God had so blessed the protestant forces there, that they had subdued and vanquished the rebels in all encounters; and, probably, by that time, the whole rebellion had been extinguished, if the king had not, contrary to his promise and obligation by that act of parliament, made a cessation with those execrable rebels, when they were not able to continue the war; and had called over many of those regiments, which the parliament had sent over against the Irish, to return hither to fight against the parliament: by means whereof his protestant subjects of that kingdom were in great danger to be destroyed, and the kingdom to be entirely possessed by the papists." Enlarging themselves upon this subject, with all the envious insinuations they could devise, to make the people believe, that the king was inclined to and favoured that rebellion; they demanded, "that the king would forthwith declare that cessation to be void; and that he would prosecute the war against those rebels with the utmost fury; and that the act of parliament for their reduction might be executed as it ought to be."

The commissioners of the king prepared and delivered a very full answer in writing to all their demands; at the delivery whereof, they appointed the chancellor of the exchequer to enlarge upon any of those particulars, which made the counsels that had been taken just and necessary. This he did so particularly and convincingly, that those of the parliament were in much confusion, and the king's commissioners much pleased. He put them in mind of "their bringing those very troops, which were levied by the king's authority for the suppression of the rebellion in Ireland, to fight against the king at Edge-hill, under the command of the earl of Essex; of their having given over the prosecution of that war, or sending any supply of arms, money, or ammunition thither;

"having employed those magazines, which were provided for that service, against his majesty; inasmuch as the privy-council of that kingdom had sent to his majesty, that he would provide some other way for the preservation of that kingdom, since they could not be able to support the war any longer, against the united power of the rebels: that all overtures, which his majesty had made towards peace, had been rejected by the parliament: and one hundred thousand pounds, brought in by the adventurers for Ireland, had been sent in one entire sum into Scotland, to prepare and dispose that kingdom to send an army to invade this; which they had done; and till then his majesty had not, in the least degree, swerved from the observation of that act of parliament: but when he saw that the parliament, instead of prosecuting the end and intention of that statute, applied it wholly to the carrying on the war against himself, he thought himself absolved before God and man, if he did all he could to rescue and defend himself against their violence, by making a cessation with the rebels in Ireland, and by drawing over some regiments of his own army from thence, to assist him in England: which cessation had hitherto preserved the protestants of that kingdom; who were not able without supplies to preserve themselves from the strength and power of the rebels; which supplies his majesty could not, and the parliament would not, send; and therefore, if the protestants there should hereafter be oppressed by the rebels, who every day procured assistance from abroad, and so were like to be more powerful, all the mischiefs and misery that must attend them would, before God and man, be put to the account of the parliament; which had defrauded them of those supplies, which, by his majesty's care, had been raised and provided for them; and not to his majesty, who had done nothing but what he was obliged to do for his own preservation; and if he had not sent for those soldiers from Ireland, they could not have stayed there without a supply of money, clothes, and provisions; which the parliament had not yet sent to that part of the army which remained there, and which could by no other way have subsisted, but by the benefit and security of the cessation."

He told them, "that all this unjustifiable way of proceeding, though it had compelled the king to yield to a cessation, yet could not prevail with him to make a peace with the Irish rebels; from whom he had admitted commissioners to attend him with propositions to that purpose; but that, when he found those propositions and demands so unreasonable, that he could not consent to them in conscience, and that they were inconsistent with the security of his protestant subjects there, he had totally rejected them, and dismissed their commissioners with severe and sharp animadversions: yet that he had given his lieutenant and council there authority to continue the cessation longer, in hope that the rebels there might be reduced to better temper; or that his majesty might be enabled by a happy peace here, which he hoped this treaty would produce, to chastise their odious and obstinate rebellion: and if the parliament would yet give his majesty sufficient caution, that the

“war should be vigorously prosecuted there against the Irish, by sending over strong supplies of men and money, he would put an end to that cessation, without declaring it to be void; which [otherwise] he could not in justice do, and the doing whereof would be to no purpose.”

The commissioners, visibly out of countenance and angry, made no other reply, but “that they were sorry to find that odious and detestable rebellion had received so much grace, as that commissioners from it had been admitted into the king’s presence; and that they wondered there should be any scruple made of declaring that cessation void, that was entered into expressly against the letter of an act of parliament.” This reply they gave in writing, with many pathetic expressions against the murders and cruelties that had been used in the beginning of that rebellion; which obliged the king’s commissioners to a little more sharpness in their returns than they were inclined to; and to tell them, “that they wished it were in the king’s power to punish all rebellion with that severity that was due to it; but since it was not so, he must condescend to treaties, and to all other expedients, which are necessary to reduce his subjects, who are in rebellion, to return to their duty and obedience.”

The twelve first days were now spent upon the three great heads, in which there was little advance made towards giving satisfaction to either party; for though, in the matter of religion, the king’s commissioners had made such condescensions, as would oblige bishops to be more diligent in preaching, and to be themselves present in the administration of the most important parts of their jurisdiction; yet no such reformation was considerable to those who cared for nothing without extirpation; and in neither of the other particulars any ground had been gotten; and they were sensible, that, in the matter of Ireland, the king’s defence would weigh down their clamour and calumny. There happened some accidents in this time of the treaty, which made impression on either party; the first was found in the looks of the parliament commissioners, upon the advertisement they received, that sir Lewis Dives, who was governor of a small garrison in Sherborne in Dorsetshire, had from thence, in a night, upon intelligence with the king’s governor of Portland castle, surprised Weymouth, a seaport possessed by the parliament; which was like to be attended with great benefit to the king.

But whilst the king’s commissioners entertained some hope that this loss might have the more disposed the parliament to a just peace, they received advertisement of a much greater loss sustained by the king, and which was more like to exalt the other side. Colonel Langhorn, and Mitton, two very active officers in the parliament service, about Shropshire and North Wales, by correspondence with some townsmen, and some soldiers in the garrison of Shrewsbury, from whence too many of that garrison were unhappily drawn out, two or three days before, upon some expedition, seized upon that town in the night; and, by the same treachery, likewise entered the castle; where sir Michael Earnly, the governor, had been long sick, and rising, upon the alarm, out of his bed, was killed in his shirt; whilst he behaved himself as well as was possible; and refused quarter; which

did not shorten his life many days, he being even at the point of death by a consumption; which kept him from performing all those offices of vigilance he was accustomed to, being a gallant gentleman, who understood the office and duty of a soldier by long experience, and diligent observation. The loss of Shrewsbury was a great blow to the king, and straitened his quarters exceedingly, and broke the secure line of communication with Chester, and exposed all North Wales, Hereford, and Worcester, to the daily inroads of the enemy: and the news of this recovered the dejected spirits of the parliament commissioners at Uxbridge.

Yet there had been an odd accident which accompanied the enterprise upon Weymouth, which gave them afterwards more trouble. Sir Lewis Dives had, in his march from Sherborne, intercepted a packet of letters sent out of Somersetshire to the parliament; and among those there was a letter from John Pyne, a gentleman well known, and of a fair estate in that country, to colonel Edward Popham, a principal officer of the parliament in their fleets at sea, and of a passionate and virulent temper, of the independent party. The subject of the letter was a bitter invective against the earl of Essex, and all those who advanced the treaty of peace, and a great detestation of the peace, with very indecent expressions against the king himself, and all who adhered to him. This letter had been sent by sir Lewis Dives to one of the secretaries at Oxford, and from him to the commissioners at Uxbridge; who, as soon as they received it, communicated it to some of those commissioners, who they knew desired a peace, and were very great friends to the earl of Essex. The Scots were likewise as much inveighed against as any body else. They to whom this letter was communicated, durst not undertake to appear to know any thing of it; but advised, “that the marquis of Hertford might send a copy of it to his brother, the earl of Essex, with such reflections as he thought fit:” which being done accordingly, the earl of Essex, who was yet general, took it so much to heart, that he desired the marquis of Hertford would send him the original; which was presently done; hoping that it would have given some advantage to the earl of Essex, towards whom the parliament yet behaved itself with all imaginable decency and respect.

The conversation that this letter occasioned between some of the commissioners of both sides, who in private used their old freedom, made a great discovery of the faction that was in the parliament: that there were many who desired to have peace, without any alteration in the government, so they might be sure of indemnity and security for what was past; that the Scots would insist upon the whole government of the church, and in all other matters would defer to the king; but that there was another party, that would have no peace upon what conditions soever, who did resolve to change the whole frame of the government in state as well as church; which made a great party in the army: all those of the parliament who desired to remove the earl of Essex from being general of the army, and to make another general, were of that party. There was likewise among the commissioners themselves very little trust and communication; sir Harry Vane, Saint-John, and Prideaux, being, upon the matter, but spies upon the rest; and though most of the rest did heartily desire a peace, even upon any terms, yet none of them had the

courage to avow the receding from the most extravagant demand. And there was reason enough to believe, that, if the king had yielded to all that was then proposed, they would likewise have insisted upon all which they had formerly demanded, and upon the delivery up of all those persons, who had faithfully served the king, and had been by them always excepted, as persons never to be pardoned.

For though they had assigned those three general heads, of the church, of the militia, and of Ireland, to be first treated upon, which were all plausible and popular arguments, and in which they who most desired peace would insist at least upon many condescensions, yet they had not, in the least degree, declined any other of their propositions; as the exemption of many of the greatest quality, or of the most declared affections to the king, in the three nations of England, Scotland, and Ireland, from pardon; and the making the estates of the rest, under the name of delinquents, liable to pay the charges of the war; in which, or any of the other very unreasonable demands, they had not in their instructions given their commissioners authority in the least particle to recede: they who desired peace, being satisfied that they had prevailed to have a treaty, which they imagined would do all the rest, and that these lesser demands would fall off of themselves, when satisfaction should be given in those important particulars, which more concerned the public; and, on the other side, they who resolved the treaty should be ineffectual, were well content that their commissioners should be instructed only to insist upon those three generals, without power to depart from any one expression, in the propositions concerning those particulars; being satisfied, that in the particular which concerned the church, the Scots would never depart from a tittle; and as sure that the king would never yield to it; and that, in the militia, they who most desired peace, would adhere to that which most concerned their own security; and in the business of Ireland, besides the opportunity to asperse the king, upon an argument in which the people generally concurred with them, they were safe enough; except the king should absolutely retract and recant all that he had done, and by declaring the cessation void, expose all those who had a hand in it to their censure and judgment; and so dissolve all the authority he had in that kingdom for the future; which they knew he would never do. So that they were safe enough in those three heads of their treaty, without bringing any of their other demands into debate; which would have spent much time, and raised great difference in opinion among them; yet they had those still in reserve, and might reasonably conclude, that if the king satisfied them in the terms of those three propositions, he would never insist upon any of the rest; which could not relate so much to his conscience, or his honour, as the other. Besides, they knew well, that, if, by the king's condescensions, they had full satisfaction in the former three, they who had most passion for peace would, for their own shares in the particular revenge upon those men with whom they were angry enough, and in the preferments, which would be then in their disposal, never divide from them in any thing that remained to be demanded.

One night, late, the earl of Pembroke came to the chancellor of the exchequer's lodging to return

him a visit; and sat with him some hours; all his discourse being to persuade him to think it reasonable to consent to all that the parliament had demanded. He told him, "that there was never such a pack of knaves and villains, as they who now governed in the parliament; who would so far prevail, if this treaty were broke off, as to remove the earl of Essex; and then they would constitute such an army as should force the parliament, as well as the king, to consent to whatsoever they demanded; which would end in the change of the government into that of a commonwealth." The chancellor told him, "if he believed that, it was high time for the lords to look about them, who would be then no less concerned than the king." He confessed it, and that they were now sensible, that they had brought this mischief upon themselves; and did heartily repent it, though too late; and when they were in no degree able to prevent the general destruction which they foresaw: but if the king would be so gracious to them, as to preserve them, by consenting to those unreasonable propositions, which were made by the parliament, the other wicked persons would be disappointed by such his concessions; the earl of Essex would still keep his power; and they should be able, in a short time after the peace concluded, by adhering to the king, whom they would never forsake hereafter, to recover all for him that he now parted with, and to drive these wicked men, who would destroy monarchy, out of the kingdom; and then his majesty would be greater than ever." How extravagant soever this discourse seems to be, the matter of it was the same, which the wisest of the rest, and there were men of very good parts among them, did seriously urge to other of the king's commissioners, with whom they had the same confidence: so broken they were in their spirits, and so corrupted in their understanding, even when they had their own ruin in their view.

The earl of Northumberland, who was the proudest man alive, could not look upon the destruction of monarchy, and the contempt the nobility was already reduced to, and which must be then improved, with any pleasure: yet the repulse he had formerly received at Oxford, upon his addresses thither, and the fair escape he had made afterwards from the jealousy of the parliament, had wrought so far upon him, that he resolved no more to depend upon the one, or to provoke the other, and was willing to see the king's power and authority so much restrained, that he might not be able to do him any harm.

The earls of Pembroke and Salisbury were so totally without credit or interest in the parliament or country, that it was no matter which way their inclinations or affections disposed them; and their fear of the faction that prevailed was so much greater than their hatred towards them, that though they wished they might rather be destroyed than the king, they had rather the king and his posterity should be destroyed, than that Wilton should be taken from the one of them, or Hatfield from the other; the preservation of both which from any danger, they both believed to be the highest point of prudence and politic circumspection.

The earl of Denbigh had much greater parts, and saw further before him into the desperate de-

signs of that party that had then the power, than either of the other three, and detested those designs as much as any of them; yet the pride of his nature, not inferior to the proudest, and the conscience of his ingratitude to the king, in some respects superior to theirs who had been most obliged, kept him from being willing to quit the company with whom he had conversed too long. Though he had received from them most signal affronts and indignities, and well knew he should never more be employed by them, yet he thought the king's condition to be utterly desperate, and that he would be at last compelled to yield to worse conditions than were now offered to him. He conferred with so much freedom with one of the king's commissioners, and spent so much time with him in the vacant hours, there having been formerly a great friendship between them, that he drew some jealousy upon himself from some of his companions. With him he lamented his own condition, and acknowledged his disloyalty to the king, with expressions of great compunction; and protested, "that he would most willingly redeem his transgressions by any attempt that might serve the king signally, though he were sure to lose his life in it; but that to lose himself, without any benefit to the king, would expose him to all misery; which he would decline, by not separating from his party." He informed him more fully of the wicked purposes of those who then governed the parliament, than others apprehended or imagined; and had a full prospect of the vile condition himself and all the nobility should be reduced to; yet thought it impossible to prevent it by any activity of their own; and concluded, "that if any conjuncture fell out, in which, by losing his life, he might preserve the king, he would embrace the occasion; otherwise, he would shift the best he could for himself."

Of the commissioners of the house of commons, though, the three named before being excepted, the rest did in their hearts desire a peace, and upon much honester conditions than they durst own; yet there were not two of them who had entire confidence in each other, or who durst communicate their thoughts together: so that though they could speak their minds freely enough, severally, to those commissioners of the king's side with whom they had former friendship, they would not, in the presence of any of their own companions, use that freedom. The debate, that had been in the house, upon the *self-denying ordinance*, had raised so many jealousies, and discomposed the confidence that had formerly been between many of them, that they knew not what any man intended to do; many who had, from the beginning of the troubles, professed to have most devotion for the earl of Essex, and to abhor all his enemies, had lately seemed to concur in that ordinance, which was contrived principally for his dishonour and destruction; and others, who seemed still to adhere to him, did it with so many cautions, that there could be no confidence of their perseverance.

Hollis, who was the frankest among them in owning his animosity and indignation against all the independent party, and was no otherwise affected to the presbyterians, than as they constituted a party upon which he depended to oppose the other, did foresee that many of those who ap-

peared most resolute to concur with him would, by degrees, fall from him purely for want of courage, in which he abounded. Whitlock, who, from the beginning, had concurred with them without any inclinations to their persons or their principles, had the same reason still not to separate from them. All his estate was in their quarters, and he had a nature that could not bear or submit to be undone: yet to his friends, who were commissioners for the king, he used his old openness, and professed his detestation of all their proceedings, yet could not leave them. Pierpoint and Crew, who were both men of great fortunes, and had always been of the greatest moderation in their counsels, and most solicitous upon all opportunities for peace, appeared now to have contracted more bitterness and sourness than formerly; and were more reserved towards the king's commissioners than was expected; and in all conferences insisted peremptorily, "that the king must yield to whatsoever was demanded in the three demands which had been debated." They all valued themselves "upon having induced the parliament, against all opposition, to consent to a treaty; which producing no effect, they should hereafter have no more credit;" and it plainly appeared, that they had persuaded themselves, that, in the treaty, they should be able to persuade the king's commissioners to concur with them; and that the king would yield upon the very same argument and expectation, that the earl of Pembroke had offered to the chancellor [of the exchequer.]

Some of them, who knew how impossible it was to prevail with the commissioners, or, if they could be corrupted so far in their judgments, how much more impossible it would be to persuade the king to consent to what was so diametrically against his conscience and his honour, and, in truth, against his security, did wish, "that in order to get the time of the treaty prolonged, some concessions might be made in the point of the militia, in order to their security; which being provided for might probably take off many persons, who, out of that consideration principally, adhered to those who they thought were most jealous of it, and most solicitous for it." And this seemed such an expedient to those to whom they proposed it, that they thought fit to make a debate among all the commissioners; "and if it did produce no other effect, than the getting more days to the treaty, and making more divisions in the parliament, both which they might naturally expect from it, the benefit was not small that would attend it; for, as long as the treaty lasted, there could be no advance made towards new modelling the army, the delay whereof would give the king likewise more time to make his preparations for the field; towards which he was in no forwardness." And this consideration prevailed with the commissioners to send their opinion to the king, "that he would give them leave to propose, when the next day came for the debate of the point of the militia, that the whole militia of the kingdom should be settled in such a number of persons, for seven or eight years, who should be all sworn to the observation of all the articles which should be agreed upon in the treaty; after the expiration of which time, which would be sufficient to extinguish all jealousies, it should be restored to the king." And

they sent the king a list of such names, as they wished might be inserted in the proposition, of persons in credit with the parliament, to which his majesty might add the like number of such, of whose fidelity he was most assured.

The earls of Essex, Northumberland, Warwick, and Manchester, with Fairfax and Cromwell, were among those they recommended to be named by the king. With this message they sent two of their own body, who added other reasons, which they conceived might prevail with him; and it was with great difficulty that his majesty was prevailed with to consent that such an overture should be made. But being unwilling to dissent from his commissioners' judgment, and especially in confidence that it would be rejected, and in hope that it would gain time by lengthening the treaty, his majesty was contented, that the commissioners should make such an offer as is mentioned, and name the persons they had proposed of the parliament party; but then he sent a list of such persons as himself thought fit to trust in that affair, and in whom, together with the others, he would have the power of the militia to be vested: and in the list he named the chancellor of the exchequer, who was very much troubled at the honour, and writ very earnestly to the king to exempt him from the envy of such a trust, by leaving out his name, and putting in another of a higher qualification. But by this time, the term assigned for the treaty drawing towards an end, they who had first advised this expedient, had not the same opinion of the success; and had plainly discovered, that the parliament would not consent to add one day more to the treaty. So the farther prosecution of the overture in that manner was laid aside. For the king's commissioners concluded, "that at this time to offer any particular names from the king to be trusted with the militia, was but to expose those persons to reproach, as some of them were very ungracious and unpopular; and to give the other side an excuse for rejecting the offer, upon exception to their persons." However, that they might see a greater condescension from the king in that point, than he had ever yet been induced to, they offered, "that the militia should be so settled for the space of seven years, as they had desired, in such a number of persons as should be agreed upon; a moiety of which persons should be nominated by the king, and the other moiety by the parliament:" which was rejected by them with their usual neglect.

From this time the commissioners, on both sides, grew more reserved, and colder towards each other; insomuch as in the last conferences the answers and replies upon one another were sharper and more reflecting than they had formerly been: and in their conference upon the last day, which held most part of the night, it was evident, either side laboured most to make the other seem to be most in fault. The king's commissioners delivered a paper, which contained a sum of all that had been done in the treaty, and observed, "that after a war of so many years; entered into, as was pretended, for the defence and vindication of the laws of the land, and the liberty of the subject, in a treaty of twenty days, they had not demanded any one thing, that, by the law of the land, they had the least title to demand; but insisted only on such particulars as were against law, and the established government of the kingdom; and

"that much more had been offered to them for the obtaining of peace, than they could with justice or reason require:" with which they were so offended, that they, for some time, refused to receive the paper, upon pretence, "that the time for the treaty was expired;" because it was then after twelve of the clock of the night of the twentieth day: but at last they were contented to receive it, finding that it would not be less public, and would more reflect upon them, if they rejected it: and so they parted, a little before the break of day.

The next day, being Sunday, they rested in the town, that they might in the afternoon decently take their leaves of each other; though Monday, according to the letter of their pass, was the last day of their freedom, and at that season of the year their journey to Oxford might require two days, as they had spent two days in coming thither; and the commissioners for the parliament had given them a paper, in which they declared, "that they might safely make use of another day for their return, of which no advantage should be taken." But they having on Sunday performed their mutual visits to each other, parted with such a dryness towards each other, as if they scarce hoped to meet again; and the king's commissioners were so unwilling to run any hazard, or to depend upon their words, that they were on the Monday morning so early in their coaches, that they came to Oxford that night, and kissed the king's hand; who received them very graciously; and thanked them for the pains they had taken. Surely the pains they had taken, with how little success soever, was very great; and they who had been most inured to business, had not in their lives ever undergone so great fatigue for twenty days together, as at that treaty. The commissioners seldom parted, during that whole time, till two or three of the clock in the morning. Besides, they were obliged to sit up later who were to prepare such papers as were directed for the next day, and to write letters to Oxford; so that, if the treaty had continued much longer, it is very probable many of the commissioners must have fallen sick for want of sleep; which some of them were not satisfied with in three or four days after their return to Oxford. Thus ended the treaty of Uxbridge, the particulars whereof were, by the king's command, shortly after published in print, and never contradicted by the parliament.

The king spoke to those he trusted most at that time, with much more melancholy of his own condition, and the state of his affairs, than he had used to do. The loss of Shrewsbury was attended with many ill consequences; and that which had seemed to bring some kind of recompense for it, which was the surprise of Weymouth, proved but a dream; for the enemy had lost but one part of the town, which they, in a short time after, recovered again by the usual negligence of the king's governors. So that his majesty told them, "he found it absolutely necessary to pursue his former resolution of separating the prince his son from himself, that the enemy might not, upon any success, find them together; which, he said, would be ruin to them both; whereas, though he should fall into their hands whilst his son was at liberty, they would not dare to do him harm." He seemed to have very reasonable apprehensions, that upon the loss of a battle he



might become a prisoner; but he never imagined, that it would enter into their thoughts to take away his life; not that he believed they could be restrained from that impious act by any remorse of conscience, or that they had not wickedness enough to design and execute it: but he believed it against their interest; and would often, in discourse, say, "of what moment the preservation of his life was to the rebels; and how much they were concerned to preserve it, in regard, that if his majesty were dead, the parliament stood dissolved; so that there would be an end of their government:" which, though it were true in law, would have little shaken their government, of which they were too long possessed to part with easily.

But this was a speculation of that nature, that nobody had reason to endeavour to change the king's opinion in that particular; and his majesty thought of nothing so much as hastening the prince's journey; and to that purpose commanded those who were appointed to attend him to be ready by a short day, and resolved that his highness should make his journey directly to Bristol, and continue his residence there, till some emergent alteration should make his remove from thence necessary. For whatever discourse was made of raising an army in the west, the king had no purpose to put the prince into the head of any such army; and though Goring had prevailed to be sent, with a strong party of horse, and some foot, into Hampshire, upon pretence of securing the west from Waller's incursion, and upon some other design; yet the king had not the least purpose, that he should be where the prince was; though he was not himself without that design at that present, as shall be made out anon, and meant by that device to withdraw himself from the command of prince Rupert, which the king did not apprehend. But having no more in his purpose than is said before, he sent the lord Hopton to Bristol to provide a house for his highness, and to put that city into as good a posture of security for the prince's residence as was necessary; nor was there any other strength designed to attend about his highness's person, than one regiment of horse, and one regiment of foot, for his guards, and both under the command of the lord Capel; who was likewise to raise them upon his own credit and interest; there being, at that time, not one man raised of horse or foot, nor any means in view for the payment of them, when they should be raised; nor, indeed, for the support of the prince's family, or his person. In so great a scarcity and poverty was the king himself, and his court at Oxford.

There happened an accident at this time, that reconciled the minds of many to this journey of the prince into the west, and looked like a good omen that it would produce good effects; though it proved afterwards an occasion of much trouble and inconvenience. When the king returned through Somersetshire, after the defeat of the earl of Essex in Cornwall, there had been a petition delivered to him, in the names of the gentry, clergy, freeholders, and others his majesty's protestant subjects of the county of Somerset, in which they desired, "that his majesty would give them leave to petition the parliament, that there might be a treaty for peace; and that they might have liberty to wait upon his majesty in person in his march; and that, when they came to a nearer distance, they might then go before, and

"deliver their petition; and if they should not obtain their so just request, they would then assist his majesty to get that by the sword, which could be obtained no other way." And to that purpose, they desired leave "to put themselves in arms, to attend his majesty in the journey." This petition, how indigested, and impracticable soever in the manner and way proposed, was contrived by some persons of unquestionable fidelity to the king; who thought, that, under this specious title of petitioners for peace, they might draw even that whole populous county to appear for the king; and therefore the king gave them a gracious reception, and liberty to do all that they desired; believing it possible, that he might even from thence recruit his foot, which he most desired. But his majesty's speedy march left that design to be better weighed and digested.

Upon the first fame of the prince's being to visit the west, and to keep his court there, some gentlemen, of the best quality in the west, came to Oxford, as intrusted by the rest to inform his majesty, "that they had now formed the design, they had formerly presented to him, much better than it was; and that the four western counties, Dorset, Somerset, Devon, and Cornwall, had resolved to enter into an association, and to be joint petitioners to the parliament for peace; which petition should be sent by very many thousands of the most substantial freeholders of the several counties, all who should have money enough in their purses to defray their charges, going and returning; and whosoever refused to join in the petition should be looked upon as enemies to peace and their country, and treated as such: so that this address could not but have great influence upon the parliament, being under the style of one and all; and could not but be looked upon as such." They desired the king, that the prince might be made general of this association; in order to which, they would provide for his support according to his dignity; and, in the first place, take care for the raising a good guard of horse and foot, for the safety of his royal person."

Though this design, in the notions thereof, was as wild and unpracticable as the former, yet his majesty thought not fit to discountenance and reject it. It was very vehemently pressed by many persons of quality, in the name of the four western counties, and among those who took it most to heart, sir John Stawel was the chief; a gentleman of one of the largest estates that any man possessed in the west, who had, from the beginning of the parliament, shewed very great affection to the person of the king, and to the government that was settled, both in church and state; and from the beginning of the war had engaged both his own person, and his two sons, in the most active part of it, with singular courage; and had rendered himself as odious to the parliament, as any man of that condition had done. This gentleman with the assistance and counsel of Mr. Fountain, a lawyer of eminency, and who had been imprisoned, and banished London, for his declared affection to the crown, had first entertained and formed this project in their own thoughts, and then, upon the communication of it with some gentlemen, and more of the substantial farmers and freeholders of the country, found such a general concurrence from them, that they concluded it could not but have



good success, and would bring the parliament to be glad of peace. They were both very tenacious of what they had once resolved, and believed all who objected against their undertaking to be averse from peace; so that the king concluded, that he would so far comply with them, as to make the prince general of their association, which he was sure could do no harm; and they were so much delighted with the condescension, that they promised speedily to make provision for the prince's support, and for the raising his guards of horse and foot; and to that purpose made haste to Bristol, that all things might be ready against the prince came thither.

Upon these reasons, the prince had two commissions granted to him; this, to be general of the association, and another, to be general of all the king's forces in England. For when the king declared his nephew prince Rupert to be general, in the place of the earl of Brentford, his highness desired, "that there might be no general in England but the prince of Wales, and that he might receive his commission from him;" which his majesty took well; and so that commission of generalissimo was likewise given to the prince, when in truth it was resolved he should act no part in either, but remain quiet in Bristol, till the fate of all armies could be better discerned.

The indisposition and melancholy which possessed the court at Oxford, and all the king's party, was preserved from despair only by the wonderful discontents and animosities in the parliament; which kept them from pursuing the advantages they had by united counsels. As soon as the commissioners were returned from Uxbridge, and that a treaty could be now no farther urged, the independent party (for so they were now contented to be called, in opposition to the other, which was styled presbyterian) appeared barefaced, and vigorously pressed on their *self-denying ordinance*, that so they might proceed towards modelling their new army, by putting out the old officers; during the suspension whereof, there was no care for providing for the troops they had, or making recruits, or preparing any of those provisions which would be necessary for taking the field. They were now entered into the month of March, which was used as a strong argument by both parties, the one urging, "from the season of the year, the necessity of expediting their resolution for the passing the ordinance, that the army might be put into a posture of marching;" the other pressing, "that so great an alteration ought not to be affected, when there was so short a time to make it in: that there would be apparent danger, that the enemy would find them, without any army at all fit to take the field;" and therefore desired, "that all things might stand as they were till the end of the next campaign; when, if they saw cause, they might resume this expedient." The other party were loud against the delay, and said, "that was the way to make the war last; for managed as it had been, they should be found at the end of the next campaign in the same posture they were now in; whereas they made no doubt but, if this ordinance was passed, they should proceed so vigorously, that the next campaign should put an end to the war."

The debate continued many days in the house of commons, with much passion, and sharp re-

flections upon things and persons; whilst the house of peers looked on, and attended the resolution below. Of the presbyterian party, which passionately opposed the ordinance, the chief were, Hollis, Stapleton, Glin, Waller, Long, and others, who believed their party much superior in number: as the independent party was led by Nathaniel Fiennes, Vane, Cromwell, Haslerig, Martin, and others, who spoke more and warmer than they that opposed them. Of the house of peers, there was none thought to be of their party but the lord Say; all the rest were supposed to be of the earl of Essex's party; and so, that it was impossible that the ordinance would ever pass in the house of peers, though it should be carried by the commons. But they were in this, as in many other things, disappointed; for many, who had sat silent, and been thought to be of one party, appeared to be of the other. They who thought they could never be secure in any peace, except the king were first at their mercy, and so obliged to accept the conditions they would give him, were willing to change the hand in carrying on the war; and many, who thought the earl of Essex behaved himself too imperiously, were willing to have the command in one who was more their equal. Many were willing he should be angered and humbled, that himself might be more concerned to advance a peace, which he had not been forward enough to do, whilst he held the supreme command.

When the debate grew ripe, Saint-John, Pierpoint, Whitlock, and Crew, who had been thought to be of the party of the earl of Essex, appeared for passing the ordinance, as the only way to unite their counsels, and to resist the common enemy; whereas, "they discovered by what they heard abroad, and by the spirit that governed in the city, that there would be a general dissatisfaction in the people, if this ordinance were not passed." Then they fell into a high admiration of the earl of Essex, and extolling his great merit, and seemed to fear, "that the war would never be carried on so happily as it had been under him; or if it were, that the good success must be still imputed to his conduct and courage, which had formed their armies, and taught them to fight." And by this kind of oratory, and professing to decline their own inclinations and wishes, purely for peace and unity, they so far prevailed over those who were still surprised, and led by some craft, that the ordinance was passed in the house of commons, and transmitted to the peers for their consent; where nobody imagined it would ever pass.

After the battle at York, and the earl of Manchester was required to march with his army against the king, upon the defeat of the earl of Essex in Cornwall, the Scottish army marched northwards, to reduce the little garrisons which still remained in those parts; which was easily done. And thereupon they marched to Newcastle, which, being defended only by the townsmen, and in no degree fortified for a siege, was given up to them, after as good a resistance as could be made in such a place, and by such people. So that having no more to do in those parts, the parliament thought not fit yet to dismiss them to return into their own country, not knowing yet how far their new modelled army would be able to carry on all their designs. And there-

fore the Scottish army was again advanced as far as York, and was to be applied as there should be occasion.

Hereupon the king resumed the consideration how he might give such a disturbance to Scotland, as might oblige that army to return, to quench the fire in their own country; for all the advance which had been made towards that, in the conferences with the earl of Mountrose, and in the commitment of duke Hamilton, had been discontinued from that time by the king's not being able to give any troops to that earl, by the protection whereof the loyal party of that kingdom might come to his assistance, and discover their affection to his majesty. And though this conjuncture was not more favourable, by any power his majesty had to contribute troops or any other assistance towards such an enterprise, yet the vigorous spirit of the earl of Mountrose had stirred him up to make some attempt, whether he had any help or no. The person whom that earl most hated and contemned was the marquis of Argyle, who had then the chief government of Scotland; and though he was a man endued with all the faculties of craft and dissimulation that were necessary to bring great designs to effect, and had, in respect of his estate and authority, a very great interest in that kingdom; yet he had no martial qualities, nor the reputation of more courage, than insolent and imperious persons, whilst they meet with no opposition, are used to have.

The earl of Mountrose believed that his getting safely into Scotland was much more difficult than it would be to raise men enough there to control the authority of Argyle. There was at that time at Oxford the earl of Antrim, notorious for nothing, but for having married the dowager of the great duke of Buckingham, within few years after the death of that favourite. By the possession of her ample fortune, he had lived in the court in great expense and some lustre, until his riot had contracted so great a debt, that he was necessitated to leave the kingdom, and to retire to his own fortune in Ireland, (which was very fair,) together with his wife, who gave him great reputation, being a lady, besides her own great extraction and fortune, as heiress to the house of Rutland, and wife and mother to the dukes of Buckingham, of a very great wit and spirit; and made the littleness of her present husband (a handsome man too) well enough received in all places: so that they had lived in Ireland in great splendour, as they might well do, till that rebellion drove the lady again from thence, to find a livelihood out of her own estate in England. And she had upon the queen's first coming to Oxford, likewise brought herself thither; where she found great respect from all. The earl of Antrim, who was a man of excessive pride and vanity, and of a marvellous weak and narrow understanding, was no sooner without the counsel and company of his wife, than he betook himself to the rebels, with an imagination that his quality and fortune would give him the supreme power over them; which, certainly, he never intended to employ to the prejudice of the king, but desired to appear so considerable, that he might be looked upon as a greater man than the marquis of Ormond; which was so uneasy and torturing an ambition to him, that it led him into several faults and

follies. The rebels were glad of his presence, and to have his name known to be among them, but had no confidence in his abilities to advise or command them; but relied much more upon his brother, Alexander Macdonnell, who was fast to their party, and in their most secret counsels.

The earl, according to his natural unsteadiness, did not like his station there, but, by disguise, got himself into the protestant quarters, and from thence into England, and so to Oxford, where his wife then was, and made his presence not unacceptable; the king not having then notice of his having ever been among the Irish rebels; but he pretended to have great credit and power in Ireland to serve the king, and to dispose the Irish to a peace, if he should have any countenance from the king; which his majesty knew him too well to think him capable of. Whether the earl of Antrim had his original extraction in Scotland, or the marquis of Argyle his in Ireland, must be left to the determination of the bards of the family of the Macdonnells; to the superiority whereof they both pretend; and the earl of Antrim, to much of those lands in the Highlands of Scotland, which were possessed by Argyle; and the greatest part of his estate in Ireland was in that part of Ulster that lies next Scotland, and his dependents of the same language and manner of living with the Highlanders of Scotland. The knowledge of this disposed the earl of Mountrose to make a great acquaintance with him as soon as he came to Oxford, and to consult with him, whether it might not be possible to draw a body of men out of Ireland to be such a foundation for raising forces in Scotland, as might advance the enterprise he had so long in his heart; it being notorious enough that the Highlanders in Scotland had very good affections for the king; and desired nothing more than to free themselves from the hard slavery they had long endured under the tyranny of Argyle. The passage over the sea in those places, between Scotland and Ireland, is so narrow, that the people often make their markets in one and the other in the space of few hours; and the hardness of both people is such, that they have no delight in the superfluity of diet or clothing, or the great commodity of lodging; and were very fit to constitute an army that was not to depend upon any supplies of money, or arms, or victual, but what they could easily provide for themselves, by the dexterity that is universally practised in those parts.

The earl of Antrim, who was naturally a great undertaker, and desired nothing so much, as that the king should believe him to be a man of interest and power in Ireland, was infinitely exalted, when he discovered by the earl of Mountrose, that he was thought to have credit enough in that part of Ireland to perform a service for the king, which he never before entertained a thought of. So that he presently undertook to the earl of Mountrose, "that, if the king would grant him a commission, he would raise an army in Ireland, and transport it into Scotland; and would himself be in the head of it; by means whereof he believed all the clan of the Macdonnells in the Highlands of Scotland, might be persuaded to follow him." When the earl of Mountrose had formed such a reasonable undertaking, as he believed the earl of Antrim might in truth be able to comply with, he acquainted the lord Digby

with it, who was a friend to all difficult designs, and desired him "to propose it to the king, and "to let his majesty know, that he was so confident of the earl of Antrim's being able to perform what should be necessary, (for he would "be very well content, if he would send over a "body but of two thousand men into Scotland, "which he well knew he could easily do,) that he "would himself be in the Highlands to receive "them, and run his fortune with them, if his "majesty would give him leave to gather up such "a number of his countrymen about Oxford, as "would be willing to accompany him; and with "those he would make his way thither; and that, "if no time were lost in prosecuting this design, "he did hope, that by the time the Scottish army "in England should be ready to take the field, "they should receive such an alarm from their "own country, as should hinder their advance."

Upon this overture, the king conferred with the two earls together; and finding the earl of Antrim forward to undertake the raising as many men as should be desired, if he might have the king's commission to that purpose; and knowing well, that he had, in that part of the kingdom, interest enough to do it; and the earl of Mountrose as confidently assuring his majesty, "that with two "thousand men landed in the Highlands, he "would quickly raise an army, with which he "could disquiet that kingdom;" and the design being more probable than any other that could be proposed to the same purpose, his majesty resolved to encourage it all he could, that is, to give it countenance; for he had neither money, nor arms, nor ammunition, to contribute to it in any degree. The great objection that appeared at the first entrance into it was, "that though the "earl of Antrim had power in Ulster, and among "the Roman Catholics, he was very odious to the "protestants, and obnoxious to the state at Dublin, many things being discovered against him "of his correspondence with the rebels, which "were not known when he came into England." But that which gave most umbrage (for nobody suspected his conjunction with the rebels) was his declared "malice to the lord lieutenant, the "marquis of Ormond, and the contempt the "marquis had of him, who would therefore undervalue any proposition should be made by "him, who was of so notable a levity and inconstancy, that he did not use to intend the same thing long. There could be no trusting "him with any commission independent upon the "marquis of Ormond, or to do any thing in Ireland without his privacy, and such a limitation "would by no means be grateful to the other. "Besides the benefit that Scotland would receive "by the carrying away any body of men out of "Ulster, it would be a great lessening and abatement of the strength of the Irish rebels, who "had the command over those parts; but then if "the earl of Antrim, under any authority from "the king, should indiscreetly behave himself, (as "no man who loved him best had any confidence "in his discretion,) all the reproaches cast upon "his majesty, of his countenancing those rebels, "would receive the greatest confirmation imaginable."

The foresight of these difficulties gave life to an intrigue in the court, which for some time had been eclipsed. Daniel O'Neile (who was in sub-

tilty and understanding much superior to the whole nation of the old Irish) had long laboured to be of the bedchamber to the king. He was very well known in the court, having spent many years between that and the Low Countries, the winter season in the one, and the summer always in the army in the other; which was as good an education towards advancement in the world as that age knew. He had a fair reputation in both climates, having a competent fortune of his own to support himself without dependence or behold- ingness, and a natural insinuation and address, which made him acceptable in the best company. He was a great observer and discernor of men's natures and humours, and was very dexterous in compliance where he found it useful. As soon as the first troubles began in Scotland, he had, with the first, the command of a troop of horse; to which he was by all men held very equal, having had good experience in the most active armies of that time, and a courage very notorious. And though his inclinations were naturally to ease and luxury, his industry was indefatigable, when his honour required it, or his particular interest, which he was never without, and to which he was very indulgent, made it necessary or convenient.

In the second troubles in Scotland he had a greater command, and some part in most of the intrigues of the court, and was in great confidence with those who most designed the destruction of the earl of Strafford; against whom he had contracted some prejudice in the behalf of his nation: yet when the parliament grew too imperious, he entered very frankly into those new designs, which were contrived at court, with less circumspection than both the season and the weight of the affair required. And in this combination, in which men were most concerned for themselves, and to receive good recompense for the adventures they made, he had either been promised, or at least encouraged by the queen, to hope to be made groom of the bedchamber, when a vacancy should appear. When the civil war begun, he, being then in the Low Countries, having made an escape out of the Tower, where he stood committed by the parliament upon a charge of high treason, chose rather to be lieutenant colonel of horse to prince Rupert, than the name of a greater officer, which he might well have pretended to; presuming that, by his dexterity, he should have such an interest in that young prince, as might make his relation to him superior to those who had greater titles. He had the misfortune, at the first coming of the prince, to have credit with him to make some impressions and prejudices, which he would have been glad afterwards to have removed, when he saw others had credit likewise to build upon those foundations, which he hoped to have had the sole authority to have supervised and directed. When he saw some of his fraternity promoted to offices and honours, who had not ventured or suffered more than he, (for if he had not made his escape out of the Tower very dexterously in a lady's dress, he had been in manifest danger of his life,) and whose pretences were not better founded, than upon the promises made at the same time, when he had promised himself to be of the bedchamber, he now pressed likewise to be admitted into that attendance; and the queen had been very soli-

citous with the king on his behalf, being conscious to herself, that he had been encouraged to hope it. But the king could by no means be prevailed with to receive him, having contracted a prejudice against him with reference to the earl of Strafford, or upon some other reason, which could not be removed by all his friends, or by the queen herself; who therefore bid him expect a better conjuncture; which O'Neile took very heavily; and the more, because his condition in the army was less pleasant to him, by prince Rupert's withdrawing his graces from him.

The design of uniting the earls of Mountrose and Antrim, which was yet wholly managed with the king by the lord Digby, who was likewise of intimate friendship with O'Neile, gave him opportunity to set this pretence again on foot. It was universally known that O'Neile, whether by alliance, or friendship, or long acquaintance, had more power with the earl of Antrim than any man; and that by the ascendant he had in his understanding, and the dexterity of his nature, in which he was superior to most men, he could persuade him very much; and it was as notorious, that the marquis of Ormond loved O'Neile very well, and had much esteem for him. Upon this ground the lord Digby told the king, "that he had thought of an expedient, which he did believe might relieve him in the perplexities he sustained concerning the conduct of the earl of Antrim;" and then proposed "the sending O'Neile with him; who should first dissuade him from affecting to have any commission himself to act in Ireland; and then incline him to depend upon the assistance and authority of the marquis of Ormond; who should be required by the king to contribute all he could for the making those levies of men, and for impressing of ships, and other vessels, for their transportation into the Highlands; and then that he should go over himself with the earl, and stay with him during his abode in Dublin; by which he would preserve good intelligence between him and the marquis of Ormond; and dispose the marquis of Ormond to gratify him in all things that might concern so important a service; which, besides the letters he should carry with him from the king, his own credit with the marquis, and his singular address, would easily bring to pass."

This proposition was very agreeable to the king, who knew O'Neile was very equal to this function; and the lord Digby did not in the least insinuate any design for O'Neile's advantage in the service, which would have diverted the negotiation: thereupon his majesty himself spoke to him of the whole design, the lord Digby desiring he would do so, pretending that he had not communicated any part of it to him, being not sure of his majesty's approbation. He received it as a thing he had never thought of; and when the king asked him, "whether he thought the earl had interest enough in those parts of Ireland to levy and transport a body of men into the Highlands?" he answered readily, "that he knew well, that there were so many there, where the earl's estate lay, who depended absolutely upon him, that there would be men enough ready to go whither, or do what he required them: and that the men were hardy and stout for any service: but the drawing a

"body of them together, and transporting them, would require, he doubted, more power than the earl himself had, or was master of. He said, there were two objections in view, and a third, that he was not willing for many reasons to make. The first was, that nothing of that nature could be done without the authority and power of the marquis of Ormond, which, no doubt, would be applied to any purpose his majesty should direct; yet that the earl of Antrim had behaved himself so indiscreetly towards the marquis, and so unhandsoinely disobliged him, that it could not but be the severest command his majesty could lay upon the marquis, to enter into any kind of conjunction or conversation with that earl. The second was, that, though the earl's interest could make as many men as he desired to enter into any action or engagement he would prescribe, he much doubted the Irish commander in chief, who had the military power of those parts, would hardly permit a body of those men, which they reckoned their best soldiers, to be transported; and thereby their own strength to be lessened," which was an objection of weight, and not mentioned before to the king, nor considered by him. He said "he was unwilling to make another objection, which reflected upon a person so dear to him, and for whom he would at any time lay down his life; which was, that he much feared the earl of Antrim had not steadiness of mind enough to go through with such an undertaking, which otherwise would be as easy as honourable."

The king, well satisfied with the discourse he made, told him, "that he was not himself without the same apprehensions he had, and knew but one way to secure it, which was, if he would undertake the journey with him, by which all his fears would be composed; his counsel would govern the earl in all things, and his credit with the marquis of Ormond, which should be improved by his majesty's recommendation, would prevent any prejudice in him towards the earl." The king added, "that the service itself was of so vast importance, that it might preserve his crown, and therefore his conducting it, without which he saw little hope of success, would be a matter of great merit, and could not be unrewarded." O'Neile seemed wonderfully surprised with the proposition, and in some disorder (which he could handsomely put on when he would) said, "that he would never disobey any command his majesty would positively lay upon him: but that he should look upon it as the greatest misfortune that could befall him, to receive such a command, as would deprive him of attending upon his majesty in the next campaign, where he was sure there must be a battle; when he had rather lose his life than be absent." Then he said, "though the earl of Antrim was his kinsman and his friend, and one, who, he thought, loved him better than he did any other man, yet he was the last man in England with whom he would be willing to join in any enterprise;" mentioning his pride, and levity, and weakness, and many infirmities, which made it appear more requisite, that a wiser man should have the application of his interest; which he knew must be himself. The king renewed his desire to him to undertake the service, as the greatest he could

perform for him; and commanded him to confer with the lord Digby, who should inform him of all particulars, and should find the best way to make the earl of Antrim to communicate the affair to him, and to wish his assistance; which was easily brought to pass; nor was there any thing relating to it that the lord Digby had not before imparted to him; though the king suspected it not.

The lord Digby had now brought the business to the state he wished; and, within two or three days, told the king "how glad the earl of Antrim was, that he had leave to communicate the matter with O'Neile; and desired nothing more than that his majesty would command him to go over with him; which was an excellent point gained, wherein he had himself chosen the person who was only fit to be with him, whereas he might have been jealous, if he had been first recommended to him. The earl had, upon the first mention of him, taken notice of the difficulty he might find to draw his men out of the Irish quarters, by the opposition of those who commanded there in chief: but, he said, if the king would make O'Neile go with him, all that difficulty would be removed; for Owen O'Neile, who was uncle to Daniel, was the general of all the Irish in Ulster, and incomparably the best soldier, and the wisest man that was among the Irish rebels, having long served the king of Spain in Flanders in very eminent command; and the earl said, that he was sure Daniel had that credit with his uncle, that he would not refuse, at his request, to connive at what was necessary for the earl to do; which was all he desired."

The lord Digby left not this circumstance, which he pretended never to have thought of before, unobserved, to advance the counsel he had given for employing O'Neile; whom he took occasion then to magnify again; and told the king, "that he had already convinced the earl of Antrim of the folly of desiring any other commission than what the marquis of Ormond should find necessary to give him; and how impossible it was for him to have any success in that design, without the cheerful concurrence and friendship of the marquis: which the earl was now brought to confess, and solemnly promised to do all he should be advised, to compass it." But after all this, he lamented "his obstinate aversion to undertake the journey, for many reasons; and had obliged him, under all the obligations of the friendship that was between them, that he would prevail with his majesty, that he might not be absent from his charge in the army, in a season when there must be so much action, and when his majesty's person, whom he so dearly loved, must be in so great danger; and that he had told him freely, that he could not honestly move his majesty to that purpose, whom he knew to be so possessed of the necessity of his going into Ireland with the earl, that he should despair of the whole enterprise, which was the most hopeful he had in his view, if he did not cheerfully submit to act his part towards it: but that notwithstanding all he had said, by which he had shut out all farther importunity towards himself, his majesty must expect to be very much struggled with; and that O'Neile would lay himself at his feet, and get all his friends to join with him in a supplication for his majesty's par-

"don; and that there was no more to be done, but that his majesty, with some warmth, should command him to desist from farther importunity, and to comply with what he should expect from him; which, he said, he knew would silence all farther opposition: for that O'Neile had that entire resignation to his majesty's pleasure, that he would rather die than offend him." Upon which, and to cut off all farther mediation and interposition, the king presently sent for him, and graciously conjured him, with as much passion as he could shew, "to give over all hope of excuse, and to provide for his journey within three or four days."

All things being thus disposed, and the king expecting every day that the earl and O'Neile would take their leaves, the lord Digby came to him, and said, "Mr. O'Neile had an humble suit to his majesty at parting; which to him did not seem unreasonable, and therefore he hoped his majesty would raise the spirits of the poor man, since he did believe in his conscience, that he desired it more for the advancement of his majesty's service, than to satisfy his own ambition." He put him in mind of the long "pretence he had to be groom of his bedchamber, for the which he could not choose but say, that he had the queen's promise, at the same time when Percy and Wilmot had the like for their honours, which they had since received the accomplishment of: that his majesty had not yet rejected the suit, but only deferred the granting it; not without giving him leave in due time to hope it: that there could not be so proper a season for his majesty to confer this grace: that Mr. O'Neile was without a rival, and, in the eyes of all men, equal to his pretence; and so no man could be offended at the success: that he was now upon an employment of great trust, chosen by his majesty as the only person who could bring an enterprise of that vast expectation to a good end, by his conduct and dexterity: that it must be a journey of great expense, besides the danger or hazard of it; yet he asked no money, because he knew there was none to be had; he begged only that he might depart with such a character, and testimony of his majesty's favour and good opinion, that he might be thereby the better qualified to perform the trust that was reposed in him: that the conferring this honour upon him, at this time, would increase the credit he had with the earl of Antrim, at least confirm his unconstant nature in an absolute confidence in him: it would make him more considerable to the marquis of Ormond, and the council there, with whom he might have occasion often to confer about his majesty's service; but, above all, it would give him that authority over his countrymen, and would be such an obligation upon the whole Irish nation, (there having never yet been any Irishman admitted to a place so near the person of the king,) that it might produce unexpected effects, and could not fail of disposing Owen O'Neile, the general, to hearken to any thing his nephew should ask of him."

How much reason soever this discourse carried with it, with all the insinuations a very powerful speaker could add to it in the delivery, the lord Digby found an aversion and weariness in the king all the time he was speaking; and therefore, as his last effort, and with a countenance as if he thought

his majesty much in the wrong, he concluded, "that he much doubted his majesty would too late repent his aversion in this particular; and that men ought not to be sent upon such errands with the sharp sense of any disobligation: that if his majesty pleased, he might settle this affair in such a manner as O'Neile might go away very well pleased, and his majesty enjoy the greatest part of his resolution: that O'Neile should not be yet in so near an attendance about his person: that the employment was full of hazard, however would require a great expense of time: that he was a man of that nature as would not leave a business half done, and would be ashamed to see his majesty's face, before there were some very considerable effect of his activity and industry; and considering what was to be done in Ireland, and the posture of affairs in England, it might be a very long time before O'Neile might find himself again in the king's presence, to enter upon his office in the bedchamber;" and therefore proposed, "that the hour he was to leave Oxford he might be sworn groom of the bedchamber; by which he should depart only with a title, the effect whereof he should not be possessed of, before he had very well deserved it, and returned again to his majesty's presence; which must take up much time, and possibly might require more than the other had to live." This last prevailed more than all the rest, and the imagination that the other might be well satisfied with a place he should never enjoy, made his majesty consent, that, in the last article of time, he should be sworn before his departure; with which the other was well contented, making little doubt but that he should be able to despatch that part of the business to which he was incumbent, in so short a time, as he might return to his attendance in the bedchamber (where he longed to be) sooner than the king expected; which fell out accordingly, for he was again with his majesty before the battle of Naseby, in the summer following.

Whilst this intrigue was carrying on for Mr. O'Neile, there was another, as unacceptable, set on foot on the behalf of the earl of Antrim; for whose person the king had as little regard or kindness, as for any man of his rank. The duchess of Buckingham his wife was now in Oxford, whom the king always heard with favour; his majesty retaining a most gracious memory of her former husband, whom he thought she had forgotten too soon. This lady, being of a great wit and spirit, when she found that the king now thought her husband good for somewhat, which he had never before done, was resolved he should carry with him some testimony of the king's esteem; which she thought would be at last some justification of the affection she had manifested for him. She told the king, "that her husband was so eclipsed in Ireland, by the no-countenance his majesty had ever shewed towards him, and by his preferring some who were his equals to degrees and trusts above him, and by raising others, who were in all respects much inferior to him, to the same title with him, and to authority above him, that she believed he had not credit and interest enough to do the service he desired to do: that, in that country, the lords and greatest men had reputation over their tenants and vassals, as they were known to have grace from the king; and when they were known

"to be without that, they had no more power than to exact their own just services." She lamented the misfortune of her husband, which she had the more reason to do, because it proceeded from her; and that, whereas he had reason to have expected, that, by his marriage with her, he might have been advanced in the court, and in his majesty's favour, he had found so little benefit from thence, that he might well believe, as she did, that he suffered for it; otherwise, it would not have been possible for a person of the earl of Antrim's estate and interest, and so well qualified, as she had reason to believe him to be in all respects, after the expense of so much money as he spent in attendance upon the court, to be without any mark or evidence of his majesty's favour; and to return now again in the same forlorn condition into Ireland, would but give his enemies more encouragement to insult over him, and to cross any designs he had to advance his majesty's service." In conclusion she desired, "that the king would make her husband a marquis;" without which she did as good as declare, that he should not undertake that employment. Though his majesty was neither pleased with the matter nor the manner, he did not discern so great an inconvenience in the gratifying him, as might weigh down the benefit he expected with reference to Scotland; which the earl of Mountrose every day, with great earnestness, put him in mind of. Thereupon, he gave order for a warrant to make the earl of Antrim a marquis.

And so he and O'Neile, being well pleased, begun their journey for Ireland; and at the same time the earl of Mountrose took his leave of the king with several gentlemen, as if they meant to make their way together into Scotland, which was looked upon as a very desperate attempt, the king's extending at that time no farther northward than Worcester, all between that and Scotland being possessed by the parliament and the Scots' army. But the earl of Mountrose, after he had continued his journey two or three days in that equipage, which he knew could be no secret, and that it would draw the enemy's troops together for the guard of all passes to meet with him, was found missing one morning by his company; who, after some stay and inquiry, returned back to Oxford, whilst that noble person, with incredible address and fatigue, had not only quitted his company and his servants, but his horse also, and found a safe passage, for the most part, on foot, through all the enemy's quarters, till he came to the very borders: from whence, by the assistance of friends whom he trusted, he found himself secure in the Highlands, where he lay quiet, without undertaking any action, until the marquis of Antrim, by the countenance and assistance of the marquis of Ormond, did make good so much of his undertaking, that he sent over his kinsman Alexander Macdonnell, a stout and an active officer, (whom they called by an Irish appellation Calkito,) with a regiment of fifteen hundred soldiers; who landed in the Highlands in Scotland, at or near the place that had been agreed on, and where the earl of Mountrose was ready to receive them; which he did with great joy; and quickly published his commission of being general for the king over all that kingdom. With this handful of men, brought together with those circumstances remembered, he brought in so many of his own

countrymen to join with him, as were strong enough to arm themselves at the charge of their enemies; whom they first defeated; and every day increasing in power, till he fought and prevailed in so many several battles, that he made himself, upon the matter, master of that kingdom; and did all those stupendous acts, which deservedly are the subject of a history by itself, excellently written in Latin by a learned prelate of that nation. The preamble to it was not improper for this relation, being made up of many secret passages which were not known to many, and in which the artifices of court were very notable, and as mysterious as the motions in that sphere use to be. There will be hereafter occasion, before the conclusion of this discourse, to mention that noble lord again, and his zeal for the crown, before he came to his sad catastrophe.

The king found, that, notwithstanding all the divisions in the parliament, and the factions in the city, there would be an army ready to march against him before he could put himself into a posture ready to receive it; and was therefore the more impatient that the prince should leave Oxford, and begin his journey to Bristol; which he did within a fortnight after the expiration of the treaty at Uxbridge. And since the king did at that time within himself (for publicly he was contented that it should be otherwise believed) resolve that the prince should only keep his court in the west, that they might be separated from each other, without engaging himself in any martial action, or being so much as present in any army, it had been very happy, and, to discerning men, seemed then a thing desirable, if his majesty had removed his court into the west too, either to Bristol, or, which it may be had been better, to Exeter. For since Reading and Abingdon were both possessed by the parliament, and thereby Oxford become the head quarter, it was not so fit that the court should remain there; which, by the multitude of ladies, and persons of quality, who resided there, would not probably endure such an attack of the enemy, as the situation of the place, and the good fortifications which enclosed it, might very well bear. Nor would the enemy have sat down before it, till they had done their business in all other places, if they had not presumed, that the inhabitants within would not be willing to submit to any notable distress. And if, at this time, a good garrison had only been left there, and all the court, and persons of quality, removed into the west with the prince, it would probably have been a means speedily to have reduced to the king's obedience those small garrisons which stood out; and the king himself might, by the spring, have been able to have carried a good recruit of men to his army, and might likewise have made Oxford the place of rendezvous, at the time when it should be fit for him to take the field. But the truth is, not only the ladies, who were very powerful in such consultations of state, but very few of the rest, of what degree or quality soever, who had excellent accommodations in the colleges, which they could not have found any where else, would, without extreme murmuring, have been content to have changed their quarters. Besides, the king had that royal affection for the university, that he thought it well deserved the honour of his own presence; and always resolved, that it should be never so exposed to the extremity of war, as to fall into those barbarous

hands, without making all necessary conditions for the preservation of so venerable a place from rapine, sacrilege, and destruction.

And thus that consideration of removing the court from thence was only secretly entered upon, and laid aside, without making it the subject of any public debate: and since the other could not have been effected, it had been well if the whole council which was assigned to attend the prince, had been obliged to have performed that service. But both the duke of Richmond and the earl of Southampton, men of great reputation and authority, excused themselves to the king, for not submitting to that his command, and for desiring to continue still about his person; the one thinking it some diminution to his greatness to be at any distance from his majesty, to whom he had adhered with that signal fidelity and affection, when so many had deserted him; the other being newly married, and engaged in a family, which he could not, without infinite inconveniences, have left behind him; nor without more have carried with him. Nor was the king difficult in admitting their excuses, having named them at first to obviate some jealousies, which were like to be entertained upon the first discourse of sending the prince into the west, than that he believed they would be willing to be engaged in the service. However, it was easy to be foreseen, that, upon any ill accidents, which were like enough to fall out, they who were still obliged to that duty, would not have reputation enough to exact that general submission and obedience, which ought to be paid to the commands of the prince; and of which there was shortly after too manifest evidence.

There was an act of divine justice about this time executed by those at Westminster, which ought not to be forgotten in the relation of the acts of this year; and which ought to have caused very useful reflections to be made by many who were equally engaged; and some of whom afterwards did undergo the same fate. There hath been often mention before of sir John Hotham, who shut the gates of Hull against the king, and refused to give him entrance into that town, when he came thither attended only by his own servants, before the beginning of the war: and was, in truth, the immediate cause of the war. It was the more wonderful, that a person of a full and ample fortune, who was not disturbed by any fancies in religion, had unquestioned duty to the crown, and reverence for the government both of church and state, should so foolishly expose himself and his family, of great antiquity, to comply with the humours of those men, whose persons he did not much esteem, and whose designs he perfectly detested. But as his particular animosity against the earl of Strafford first engaged him in that company, so his vanity and ambition, and the concessions the king had made to their unreasonable demands, made him concur farther with them than his own judgment disposed him to. He had taken upon him the government of Hull, without any apprehension or imagination that it would ever make him an accessory to rebellion; but believed, that, when the king and parliament should be reconciled, the eminence of that charge would promote him to some of those rewards and honours, which that party resolved to divide among themselves. When he found himself more dangerously and desperately embarked than he ever



intended to be, he bethought himself of all possible ways to disentangle himself, and to wind himself out of the labyrinth he was in. His comportment towards the lord Digby, and Ashburnham, and his inclinations at that time, have been mentioned before at large; and from that time, the entire confidence the parliament had in his son, and the vigilance and jealousy that he was known to have towards his father, was that alone that preserved him longer in the government. Besides that they had so constituted the garrison, that they knew it could never be in the father's power to do them hurt. But, after this, when they discovered some alteration in the son's behaviour, and that the pride and stubbornness of his nature would not suffer him to submit to the command of the lord Fairfax, and that superiority over both his father and him, with which the parliament had invested that lord, and had some inkling of secret messages between the marquis of Newcastle and young Hotham, they caused both father and son to be suddenly seized upon, and sent up prisoners to the parliament; which immediately committed them to the Tower, upon a charge of high treason.

Though they had evidence enough against them, yet they had so many friends in both houses of parliament, and some of that interest in the army, that they were preserved from farther prosecution, and remained for above the space of a year prisoners in the Tower without being brought to any trial; so that they believed their punishment to be at the highest. But when that party prevailed that resolved to new model the army, and to make as many examples of their rigour and severity as might terrify all men from falling from them, they called importunately, that the two Hothams might be tried by a court of war, for their treachery and treason; and they who had hitherto preserved them had now lost their interest; so that they were both brought to their trial, about the time of the treaty of Uxbridge, and both condemned to lose their heads; the principal charge against the father being, his having dismissed the lord Digby; and a letter being produced, by the treachery of a servant, that the son had sent to the marquis of Newcastle. The vile artifices which were used both before and after their trial were so barbarous and inhuman, as have been rarely practised among Christians. It was declared to them, or at least insinuated by Hugh Peters, who was the chaplain sent to them to prepare them to die, that there was no purpose to take both their lives, but that the death of one of them should suffice; which put either of them to use all the inventions and devices he could to save himself; and so the father aggravated the faults of the son, and the son as carefully inveighed against the father, as a man that hated the parliament and all their proceedings, and either of them furnished Mr. Peters (upon whose credit and mediation they both depended) with arguments against the other.

The father was first condemned to suffer upon a day appointed, and the son afterwards to be executed in like manner the day following: the night before, or the very morning, that sir John Hotham was to die, a reprieve was sent from the house of peers to suspend his execution for three days. The commons were highly incensed at this presumption in the lords; and, to prevent the like mischief for the future, they made an order "to all mayors,

"sheriffs, bailiffs, and other ministers of justice, "that no reprieve should be granted, or allowed "for any person against whom the sentence of "death was pronounced, except the same had "passed, and had the consent of both houses of "parliament; and that if it passed only by the "house of peers, it should be looked upon as "invalid and void, and execution should not be "thereupon forborne, or suspended." By this accident the son was brought to his execution before his father, upon the day on which he was sentenced to suffer; who died with courage, and reproaching "the ingratitude of the parliament, "and their continuance of the war;" concluded, "that, as to them, he was very innocent, and had "never been guilty of treason." The father was brought to the scaffold the next day: for the house of commons, to shew their prerogative over the lords, sent an order to the lieutenant of the Tower, that he should cause him to be executed that very day, which was two days before the reprieve granted by the house of peers was expired. Whether he had yet some promise from Peters, that he should only be shewed to the people, and so returned safe again to the Tower, which was then generally reported and believed, or whether he was broken with despair, (which is more probable,) when he saw that his enemies prevailed so far, that he could not be permitted to live those two days which the peers had granted him, certain it is that the poor man appeared so dispirited, that he scarce spoke one word after he came upon the scaffold, and suffered his ungodly confessor Peters to tell the people, "that he had revealed himself to "him, and confessed his offences against the parliament;" and so he committed his head to the block. This was the woful tragedy of these two unhappy gentlemen; in which there were so many circumstances of an unusual nature, that the immediate hand of Almighty God could not but appear in it to all men who knew their natures, humours, and transactions.

Since the last office of a general, with reference to the king's quarters, which the earl of Essex performed before he found it necessary to surrender his commission to the parliament, was done before the end of this year, it will be proper in this place to mention it, both in respect of the nature of the thing itself, and the circumstances with which it was conducted, it being a letter signed by the earl of Essex, and sent by a trumpet to prince Rupert, but penned by a committee of parliament, and perused by both houses before it was signed by their general; who used, in all despatches made by himself, to observe all decency in the forms. It was a very insolent letter, and upon a very insolent occasion. The parliament had, some months before, made an ordinance against giving quarter to any of the Irish nation which should be taken prisoners, either at sea or land; which was not taken notice of, or indeed known to the king, till long after; though the earl of Warwick, and the officers under him at sea, had, as often as he met with any Irish frigates, or such freebooters as sailed under their commission, taken all the seamen who became prisoners to them of that nation, and bound them back to back, and thrown them overboard into the sea, without distinction of their condition, if they were Irish. And in this barbarous manner very many poor men perished daily; of which, when it was gene-



rally known, the king said nothing, because none of those persons were in his majesty's service; and how barbarous soever the proceedings were, his majesty could not complain of it, without undergoing the reproach of being concerned on the behalf and in favour of the rebels of Ireland.

But there had been lately, in some service at land, some prisoners taken of the king's troops, and upon pretence that they were Irishmen, as many as they thought to be of that nation were all hanged, to the number of ten or twelve. Whereupon prince Rupert, having about the time when he heard of that barbarity, taken an equal number of the parliament soldiers, caused them likewise to be hanged upon the next tree; which the parliament declared to be an act of great injustice and cruelty; and appointed the earl of Essex to expostulate with prince Rupert, in the letter they had caused to be penned for him very rudely, and to send a copy of their ordinance enclosed in the said letter, with expressions full of reproach for his "presumption in making an ordinance of theirs the argument to justify an action of so much inhumanity;" which was the first knowledge the king had of any such declaration, with reference to the war in England; nor had there been, from the beginning of it, any such example made. Prince Rupert returned such an answer as was reasonable, and with a sharpness equal to the provocation, and sent it to the earl of Essex; who, the day before he received it, had given up his commission, but sent it immediately to the two

houses, who were exceedingly enraged at it; some of them saying, "that they wondered it was so long on the way, for that certainly it had been prepared at Uxbridge."

It was upon Wednesday the fourth [fifth] of March, that the prince parted from the king his father, and, about a week after, came to Bristol: where he was now to act a part by himself, as the affairs should require, or rather where he was to sit still without acting any thing; the end being, as was said before, only that the king and the prince might not be exposed at the same time to the same danger; without any purpose that he should raise any more strength than was necessary to the security of his own person, or that indeed he should move farther westward than that city. His highness had not been there above two or three days, when letters were intercepted, that discovered a design of Waller, who had passed by the lord Goring, and put relief into Taunton, and hoped to have surprised Bristol in his return; whereupon two or three of his correspondents fled out of the city, and the rest were so exasperated with the discovery, that they readily consented to any thing that was proposed. So the lord Hopton put all things into so good a posture, that there was no farther cause to apprehend Waller; and he himself was required to return to London, to deliver up his commission upon the self-denying ordinance.

Thus ended the year 1644, which shall conclude this book.

END OF THE EIGHTH BOOK.

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## THE HISTORY OF THE REBELLION, &c.

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### BOOK IX.

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**WE** are now entering upon a time, the representation and description whereof must be the most unpleasant and ungrateful to the reader, in respect of the subject matter of it; which must consist of no less weakness and folly on the one side, than of malice and wickedness on the other; and as unagreeable and difficult to the writer, in regard that he shall please very few who acted then upon the stage of business, but that he must give as severe characters of the persons, and severely censure the actions of many, who wished very well, and had not the least thought of disloyalty or infidelity, as well as of those, who, with the most deliberate impiety, prosecuted their design to ruin and destroy the crown: a time, in which the whole stock of affection, loyalty, and courage, which at first alone engaged men in the

quarrel, seemed to be quite spent, and to be succeeded by negligence, laziness, inadvertency, and dejection of spirit, contrary to the natural temper, vivacity, and constancy of the nation: and in which they who pretended most public-heartedness, and did really wish the king all the greatness he desired to preserve for himself, did sacrifice the public peace, and the security of their master, to their own passions and appetites, to their ambition, and animosities against each other, without the least design of treachery, or damage towards his majesty: a time, in which want of discretion and mere folly produced as much mischief as the most barefaced villainy could have done; and in which the king suffered as much by the irresolution and unsteadiness of his own counsels, and by the ill humour and faction of his counsellors, by

their not foreseeing what was evident to most other men, and by their jealousies of what was not like to fall out; sometimes by deliberating too long without resolving, and as often resolving without any deliberation, and most of all, not executing vigorously what was well deliberated and resolved; as by the indefatigable industry, and the irresistible power and strength of his enemies.

All these things must be very particularly enlarged upon, and exposed to the naked view, in the relation of what fell out in this year, 1645, in which we are engaged, except we will swerve from that precise rule of ingenuity and integrity we profess to observe; and thereby leave the reader more perplexed, to see the most prodigious accidents fall out, without discerning the no less prodigious causes which produced them; which would lead him into as wrong an estimate of things, and persuade him to believe, that a universal corruption of the hearts of the whole nation had brought forth those lamentable effects; which proceeded only from the folly and the forwardness, from the weakness and the wilfulness, the pride and the passion of particular persons, whose memories ought to be charged with their own evil actions, rather than they should be preserved as the infamy of the age in which they lived; which did produce as many men eminent for their loyalty and incorrupted fidelity to the crown, as any that had preceded it. Nor is it possible to discourse of all these particulars, with that clearness that must subject them to common understandings, without opening a door for such reflections upon the king himself, as shall seem to call both his wisdom and his courage into question, as if he had wanted the one to apprehend and discover, and the other to prevent, the mischiefs which threatened him. All which considerations might very well discourage, and even terrify me from prosecuting this part of the work with that freedom and openness, as must call many things to memory which are forgotten, or were never understood; and rather persuade me to satisfy myself with a bare relation of what was done, and with the known event of that miserable year, (which, in truth, produced all that followed in the next,) without prying too strictly into the causes of those effects, which might seem rather to be the production of Providence, and the instances of divine displeasure, than to proceed from the weakness and inadvertency of any men, not totally abandoned by God Almighty to the most unruly lusts of their own appetite and inventions.

But I am too far embarked in this sea already, and have proceeded with too much simplicity and sincerity with reference to things and persons, and in the examinations of the grounds and oversights of counsels, to be now frightened with the prospect of those materials, which must be comprehended within the relation of this year's transactions. I know myself to be very free from any of those passions which naturally transport men with prejudice towards the persons whom they are obliged to mention, and whose actions they are at liberty to censure. There is not a man who acted the worst part, in this ensuing year, with whom I had ever the least difference, or personal unkindness, or towards whom I had not much inclination of kindness, or from whom I did not receive all invitations of farther endearments. There were many who were not free from very great faults and oversights in the counsels of this year, with whom I

had great friendship, and which I did not discontinue upon those unhappy oversights; nor did flatter them when they were past, by excusing what they had done. I knew most of the things myself which I mention, and therefore can answer for the truth of them; and other most important particulars, which were transacted in places very distant from me, were transmitted to me, by the king's immediate direction and order, even after he was in the hands and power of the enemy, out of his own memorials and journals. And as he was always severe to himself, in censuring his own oversights, so he could not but well foresee, that many of the misfortunes of this ensuing year would reflect upon some want of resolution in himself, as well as upon the gross errors and oversights, to call them no worse, of those who were trusted by him. And therefore as I first undertook this difficult work with his approbation, and by his encouragement, and for his vindication, so I enter upon this part of it, principally, that the world may see (at least if there be ever a fit season for such a communication; which is not like to be in this present age) how difficult it was for a prince, so unworthily reduced to those straits his majesty was in, to find ministers and instruments equal to the great work that was to be done; and how impossible it was for him to have better success under their conduct, whom it was then very proper for him to trust with it; and then, without my being over solicitous to absolve him from those mistakes and weaknesses to which he was in truth sometimes liable, he will be found not only a prince of admirable virtue and piety, but of great parts of knowledge, wisdom, and judgment; and that the most signal parts of his misfortunes proceeded chiefly from the modesty of his nature, which kept him from trusting himself enough, and made him believe, that others discerned better, who were much inferior to him in those faculties; and so to depart often from his own reason, to follow the opinions of more unskilful men, whose affections he believed to be unquestionable to his service. And so we proceed in our relation of matter of fact.

What expectation soever there was, that the *self-denying ordinance*, after it had, upon so long deliberation, passed the house of commons, would have been rejected and cast out by the peers; whereby the earl of Essex would still have remained general; it did not take up so long debate there. The marquis of Argyle was now come from Scotland, and sat with the commissioners of that kingdom, over whom he had a great ascendant. He was, in matters of religion, and in relation to the church, purely presbyterian; but in matter of state, and with reference to the war, perfectly independent. He abhorred all thoughts of peace, and that the king should ever more have the government, towards whose person, notwithstanding the infinite obligations he had to him, he had always an inveterate malice. He had made a fast friendship with sir Harry Vane, during his late being in Scotland; and they both liked each other's principles in government. From the time of his coming to the town, the Scottish commissioners were less vehement in obstructing the ordinance, or the new modelling the army: so that after it came to the house of peers, though thereby the earl of Essex, the earl of Manchester, the earl of Warwick, and the earl of Denbigh,

(whose power and authority, that is, the power, credit, and authority of the three first named, had absolutely governed and swayed that house from the beginning,) were to be dispossessed of their commands, and no peer of England capable of any employment either martial or civil; yet the ordinance found little opposition, and the old argument, "that the house of commons thought it necessary, and that it would be of mischievous consequence to dissent from the house of commons," so far prevailed, that it passed the house of peers likewise; and there remained nothing to be done, but the earl of Essex's surrender of his commission into the hands of the parliament, from whom he had received it; which was thought necessary to be done with the same formality in which he had been invested with it. Fairfax was now named, and declared general, though the earl of Essex made not haste to surrender his commission; so that some men imagined, that he would yet have contested it: but he was not for such enterprises, and did really believe that the parliament would again have need of him, and his delay was only to be well advised, in all the circumstances of the formality. In the end it was agreed, that, at a conference of both houses in the painted chamber, he should deliver his commission; which he did. And because he had no very plausible faculty in the delivery of himself, he chose to do it in writing; which he delivered to them; in which he expressed, "with what affection and fidelity he had served them, and as he had often ventured his life for them, so he would willingly have lost it in their service; and since they believed, that what they had more to do would be better performed by another man, he submitted to their judgment, and restored their commission to them; hoping they would find an abler servant:" concluding with some expressions which made it manifest that he did not think he had been well used, or that they would be the better for the change: and so left them, and returned to his own house; whither both houses, the next day, went to attend him, and to return their thanks for the great service he had done the kingdom; which they acknowledged with all the encomiums and flattering attributes they could devise.

By this *self-denying ordinance*, together with the earl of Essex, the earl of Manchester, sir William Waller, the earl of Denbigh, major general Massy, lost their commands; as Cromwell should likewise have done. But as soon as the ordinance was passed, and before the resignation of the earl of Essex, the party that steered had caused him to be sent with a party of horse into the west, to relieve Taunton, that he might be absent at the time when the other officers delivered their commissions; which was quickly observed; and thereupon orders were given, to require his present attendance in parliament, and that their new general should send some other officer to attend that service; which was pretended to be done; and the very day named, by which it was averred that he would be in the house. A rendezvous was then appointed, for their new general to take a view of their troops, that he might appoint officers to succeed those who had left their commands by virtue of the ordinance; and likewise in their places who gave up their commands, and refused to serve in the new model, who were a great number of their best commanders. From this rendezvous, the

general sent to desire the parliament, "that they would give lieutenant general Cromwell leave to stay with him for some few days, for his better information, without which he should not be able to perform what they expected from him." The request being so reasonable, and for so short a time, little opposition was made to it: and shortly after, by another letter, he desired with very much earnestness, "that they would dispense with his service for that campaign." And so they compassed their whole design, in being rid of all those whose affections they knew were not agreeable to theirs, and keeping Cromwell in command; who, in the name of Fairfax, modelled the army, and placed such officers as were well known to him, and to nobody else; and absolutely governed the whole martial affairs; as was quickly known to all men; many particulars whereof will be mentioned at large hereafter.

Though the time spent in passing the *self-denying ordinance*, and afterwards in new modelling their army, had exceedingly retarded the preparations the enemy was to make, before they could take the field, whereby the king had more breathing time than he had reason to expect; yet all the hopes he had of recruits against that season, depended upon the activity of those to whose care the providing those recruits was committed: so that there will be little occasion to mention any thing that was done at Oxford, till the season of the year obliged his majesty to leave that place, and to march with his army into the field. And of all the action that was till that time, the west was the scene; where the prince, as soon as he came to Bristol, found much more to do (and in which he could not avoid to meddle) than had been foreseen. One very great end of the prince's journey into the west, besides the other of more importance, which has been named before, was, that by his presence, direction, and authority, the many factions and animosities which were between particular persons of quality, and interest in those parts, and of equal affection to the king's service, (and yet which miserably infested and distracted it,) might be composed and reconciled; and that the endeavours of all men who wished well might be united in the advancing and carrying on that public service, in which all their joint happiness and security was concerned. This province, besides the prince's immediate countenance and interposition, required great diligence and dexterity in those about him, who were trusted in those affairs. But his highness found quickly another task incumbent on him than had been expected, and a mischief much more difficult to be mastered, and which, if unmastered, must inevitably produce much worse effects than the other could; which was, the ambition, emulation, and contest, which were between several officers of the army and parties, which were then in those parts, whereby their troops were without any discipline, and the country as much exposed to rapine and violence as it could suffer under an enemy, and in an article of time when a body of the enemy was every day expected. That this may be the better understood, it will be necessary, in this first entrance upon this discourse, to set down truly the estate of the western counties, at the time when the prince first came to Bristol.

The lord Goring had been sent by his majesty, before the time of the prince's coming into the

west, with such a party of horse, foot, and dragoons, and a train of artillery, as he desired, into Hampshire, upon a design of his own, of making an incursion into Sussex; where he pretended "he had correspondence; and that very many well affected persons promised to rise, and declare for the king, and that Kent would do the same." And so a commission was granted to him, of lieutenant general of Hampshire, Sussex, Surrey, and Kent, without the least purpose or imagination that he should ever be near the prince. Some attempts he made, in the beginning, upon Christ-Church, in Hampshire, a little unfortified fishertown; yet was beaten off with loss: so that he was forced to retire to Salisbury; where his horse committed such horrid outrages and barbarities as they had done in Hampshire, without distinction of friends or foes; so that those parts, which before were well devoted to the king, worried by oppression, wished for the access of any forces to redeem them. Whilst the lord Goring lay fruitlessly in those parts, a party of horse and dragoons, under the command of Vandruske, a German, passed by him without interruption, to the relief of Taunton, which was blocked up by colonel Windham, and reduced to some straits; and accordingly removed those forces. About the same time, sir Walter Hastings, governor of Portland, seconded by sir Lewis Dives, (who had the command of Dorsetshire as colonel general,) had surprised Weymouth, and possessed the forts, and the upper town, the rebels having withdrawn themselves into the lower town, divided from the other by an arm of the sea, and of no considerable strength: so that the speedy reducing that small place was not looked upon as a matter of difficulty. However, lest those forces which had relieved Taunton, and were conceived to be much greater than in truth they were, should be able to disturb the work of Weymouth, and for the sooner expediting the business there, the lord Goring, who pretended that his friends in Sussex and Kent were not ready for him, was by order from Oxford, upon his own desire, sent thither; whereby it was thought, both the work of Weymouth and Taunton would be speedily effected. Thereupon the lord Hopton, who naturally had the command of those counties as field-marshal of the west, being sent down by the king to compose the disorders there, upon the relief of Taunton, was, by special order, recalled to Bristol, lest there might be dispute of command between him and the lord Goring; the one being general of the ordnance, the other general of the horse; but the lord Hopton was likewise field-marshal of the west, in which the lord Goring had no commission to command.

Shortly after the lord Goring's arrival at Weymouth, with his full strength of horse, foot, and dragoons, and artillery, consisting of above three thousand horse, and fifteen hundred foot, besides what he found in those parts, that place of so vast importance was, by most supine negligence at best, retaken by that contemptible number of the rebels, who had been beaten into the lower town, and who were looked upon as prisoners at mercy. The mysteries of which fatal loss were never inquired into; but with great plainness, by the vote of the country, imputed to general Goring's natural want of vigilance; who thereupon retired with his whole strength into Somersetshire. His highness, upon his arrival at Bristol, found the west in this con-

dition; all Dorsetshire entirely possessed by the rebels, save only what sir Lewis Dives could protect by his small garrison at Sherborne, and the island of Portland, which could not provide for its own subsistence: the garrison of Taunton, with that party of horse and dragoons which relieved it, commanding a very large circuit, and disturbing other parts in Somersetshire: Devonshire intent upon the blocking up of Plymouth at one end, and open to incursions from Lyme, and prejudiced by Taunton, at the other end: the king's garrisons, in all three counties, being stronger in fortifications (which yet were not finished in any place, and but begun in some) than in men, or any provisions to endure an enemy: whilst the lord Goring's forces equally infested the borders of Dorset, Somerset, and Devon, by unheard of rapine, without applying themselves to any enterprise upon the rebels. Cornwall indeed was entire; but being wholly assigned to the blocking up of Plymouth, yielded no supply to any other service, or to the providing its own garrisons against the time that they might be visited by an enemy.

Sir William Waller and Cromwell marched together about this time towards the west, and making a cavalcade in Wiltshire, had routed and taken the whole regiment of horse of colonel Long, the high sheriff of that county, by his great defect of courage and conduct; and seemed furiously to intend an attempt upon general Goring; who was so much startled with the noise at a great distance, that he drew his forces so far west of Taunton, that Vandruske had an opportunity to retire, with that body of horse and dragoons with which he had relieved Taunton, to his fellows; whilst the king's forces reposed themselves towards Devonshire, the lord Goring himself, and most of his principal officers, taking that opportunity to refresh at Exeter, where they stayed three or four days in most scandalous disorder, a great part of his horse lying upon free quarter, and plundering to the gates of the city; which, being in the beginning of the year, was an ill presage to that people, what they were to expect. But finding that sir William Waller made not that haste he apprehended, and borrowing such horse and foot as he could procure from Exeter, he returned again towards Taunton, and gave his highness an account of his condition.

His highness, being attended at Bristol by the commissioners of Somerset, found no one thing provided, or one promise complied with, which had been made by them at Oxford: of his guards of horse and foot, which they assured him, for the proportion of that county, should be ready against his coming, not one man or horse provided: of the hundred pound a week, to be allowed by them towards his highness's support, not one penny ready, nor like to be. So that he was forced to borrow from the lord Hopton's own private store, to buy bread. And, which was worse than all this, we found plainly, that, what had been so particularly and positively undertaken at Oxford, was upon the confidence only of three or four men, who were governed by sir John Stawel and Mr. Fountain, without any concurrence from the rest of the commissioners of that, or the other three associated counties; and that they who had been so confident, instead of forming and pursuing any design for raising of men or money, were only busy in making objections, and preparing complaints, and pursuing their private quarrels and animosities

against others. So they brought, every day, complaints against this and that governor of garrisons, for the riots and insolences of the lord Goring's soldiers, and, "that those parts of the county which were adjacent to Sherborne and Bridgewater were compelled to work at those fortifications;" and a world of such particulars, most of which, they well knew, in that conjuncture of time, could not be prevented; and many of which were in themselves very necessary. Yet the prince endeavoured to give them all encouragement; told them, "that he was very sensible of all those disorders of which they complained; and would redress them, as soon as they should discern it to be in his power; that the forces under the lord Goring were an army by themselves, come down into those parts before his highness; and stayed then there for their protection against the power of Waller, (which was ready to invade them,) and the garrison of Taunton, which they confessed infested their whole county; that he was very desirous that army might move eastward, as soon as they should put themselves in such a posture, as might render them secure against their enemies; wished them to propose any expedients, how the fortifications of the garrisons might be finished, without some extraordinary help; or to propose the most convenient one; and he would join with them; and desired them to proceed in their levies of men and money, in the ways agreed on by themselves; and they should find all concurrence and assistance from him." But, notwithstanding all he could say or do, nothing was reasonably proposed or admitted by them, for the advancement of the public service.

By this time, towards the end of March, sir William Waller having advanced with his horse and dragoons by Bath towards Bristol, in hope, as hath been said before, to have surprised that city by some treachery within, and being disappointed there, retired towards Dorsetshire, and the edge of Somerset, adjoining to that county; where Cromwell expected him; the lord Goring having, in the mean while, fallen into some of Cromwell's quarters about Dorchester, and taken some prisoners and horses, and disordered the rest. Upon a dispute between themselves, or some other orders, Cromwell retired to join with sir Thomas Fairfax towards Reading; sir William Waller stayed in those parts, to intend the business of the west, but made no haste to advance, expecting some supplies of foot by sea at Weymouth. So that the lord Goring drew back to Bruton, and sent to the prince to desire, "that two of his council might meet him at Wells the next day, to consider what course was best to be taken;" accordingly the lords Capel and Colepepper, the next day, met his lordship at Wells. Where, after long consideration of the whole state of the west, and of the great importance of reducing Taunton, without which no great matter could be expected from Somersetshire, the lord Goring proposed, and put the design in writing under his own hand, for the whole method and manner of his proceeding, "that he would leave the gross of his horse, and two hundred foot mounted, in such convenient place, upon the skirts of Dorsetshire and Wiltshire, as they might be able to retire to their body, if the enemy advanced powerfully; and that he would himself, with all his foot and cannon, and such horse as

were necessary, attempt the taking or burning of Taunton;" and to that purpose desired his highness, "to send positive orders to sir Richard Greenvil," (who, notwithstanding his highness's commands formerly sent to him, and some orders from the king himself, made not that haste as might reasonably be expected,) "to advance, and to direct the commissioners of Somerset to give their personal attendance upon that service; and in the mean time to take care that sufficient magazines of victual and provisions were made for the soldiers;" all which was exactly performed by his highness, the next day after he received the desires of general Goring.

But within three or four days, and before the design upon Taunton was ready for execution, it appeared by the constant intelligence, that Waller was advancing with a great body of horse and dragoons, and some foot; and therefore the attempt upon Taunton was for the present to be laid aside; and the lord Goring very earnestly desired the prince to command sir Richard Greenvil, who was now drawn near to Taunton, with eight hundred horse, and above two thousand two hundred foot, besides pioneers, with all possible speed to march to him, that so he might be able to abide the enemy, if they came upon him; or, otherwise, to compel them to fight, if they stayed in those fast quarters, where they then were; which was about Shaftsbury, Gillingham, and those places. The prince accordingly sent his commands positively to sir Richard Greenvil, "to advance towards the lord Goring, and to obey all such orders as he should receive from his lordship." But he as positively sent his highness word, "that his men would not stir a foot; and that he had promised the commissioners of Devon and Cornwall, that he would not advance beyond Taunton, till Taunton were reduced; but that he made no question, if he were not disturbed, speedily to give a good account of that place." In the mean time, the lord Goring very gallantly and successfully, by night, fell upon sir William Waller's quarters twice in less than a week; and killed and took so good a number, that it was generally believed sir William Waller was lessened near a thousand men by these encounters; the lord Goring still declaring, "that he could neither pursue his advantages upon a party, nor engage the main of the rebels, without the addition of Greenvil's foot;" and he, notwithstanding all orders, as peremptorily refusing to stir, but professing, "that, if he had an addition of six hundred men, he would be in the town within six days."

Whilst things stood thus, sir William Waller, much weakened with these disasters, and the time of his command being near expired, drew back eastward; and was, by night marches, retired as far as Salisbury, before the lord Goring had notice of his motion. Whereupon his highness, upon consideration how impossible it was to overtake him, which general Goring himself confessed by his letters, or to engage the forces under the command of Greenvil, and the other forces of those parts, in any action, before the business of Taunton should be over, (which indeed disappointed all our hopes both of men and money in that great county,) and, on the other side, considering, if that place were reduced, (as sir Richard Greenvil undertook it should be in six days, and others, who had viewed

it, thought it not a work of time,) besides the terror it would strike into their neighbours, there would be an army of four thousand horse, and five thousand foot, ready to be applied to any service they should be directed to, and that then the lord Goring might prosecute his commission in Sussex and Kent, with such a reasonable recruit of foot as should be necessary, and yet his highness enabled, in a short time, to be in the head of a very good army raised out of the four associated counties, either for the reducing the few other places which were garrisoned by the rebels, or to march toward his majesty: I say, upon these considerations, the prince (with the privity and advice of prince Rupert, who was then at Bristol, and present at the whole consultation, and the principal adviser in it) wrote, upon the eleventh of April, to the lord Goring, being then about Wells, "that his opinion was, that the horse and dragoons under his lordship's command should advance from the quarters where they then were, much to the prejudice of that county, into Dorsetshire or Wiltshire, or into both of them; and that the foot and cannon should march directly towards Taunton, according to the design formerly proposed by his lordship; and referred it to himself, whether his lordship in person would stay with the horse, or go with the foot; and desired to receive his opinion and resolution upon the whole;" there being nothing proposed to be acted in two days. This letter was sent by colonel Windham, the governor of Bridgewater, who came that day, from Taunton, from sir Richard Greenvil; and could best inform him of the strength of the town, and the condition of sir Richard Greenvil's forces.

The next day colonel Windham returned with a short sullen letter from the lord Goring to the prince, "that he had, according to his command, sent the foot and cannon to Taunton, and the horse to the other places; and that, since there was now nothing for him to do, he was gone to Bath to intend his health:" where he complained privately, "that his forces were taken from him at a time when he meant to pursue Waller, and could utterly defeat him;" and much inveighed against the prince's council, for sending orders to him so prejudicial to the king's service: whereas it was only an opinion, and not orders, grounded upon what himself had formerly proposed, and to which he was desired to return his present judgment, being within half a day's journey of the prince, upon whom he ought to have attended in person, or have presented his advice to him, if what was then offered seemed not convenient. But, after some days frolicly spent at Bath, he returned to his former temper, and, waiting on the prince at Bristol, was contented to be told, "that he had been more apprehensive of discourtesies than he had cause;" and so all misunderstandings seemed to be fairly made up.

The lord Goring's foot and cannon being thus suddenly sent to Taunton, under the command of sir Joseph Wagstaffe; for the better preventing all mistakes and contests about command, the prince sent the lords Capel and Colepepper to Taunton, to settle all disputes that might arise, and to dispose the county to assist that work in the best manner; which proved very fortunate; for the same day they came thither, sir Richard

Greenvil, having brought his forces within musket-shot on one side of Taunton, went himself to view Wellington-house, five miles distant, in which the rebels had a garrison, and was, out of a window, shot in the thigh; with which he fell, the wound being then conceived to be mortal: so that there was no person who would pretend to command; those under Greenvil, having no experienced officer of reputation equal to that charge, yet being superior in number to the other, would not be commanded by sir Joseph Wagstaffe; so that if the lords had not very happily been present, it is probable, both those bodies of foot, each being too weak for the attempt by itself, would, if not disbanded, at best have retired to their former posts, and left those of Taunton at liberty to have done what they thought best. But they being there, and sir John Berkley being in that instant come thither to meet them, with an account of the state of Devonshire, they persuaded him to undertake the present charge of the whole, (all the officers of both bodies having formerly received orders from him,) and to prosecute the former design upon the town; all persons submitting till the prince's pleasure should be farther known; those officers under sir Richard Greenvil presently sending away an express to Bristol, to desire the lord Hopton to take the command of them. But his lordship had no mind to enter upon any particular action with disjointed forces, till, upon the remove of the lord Goring, the whole command might be executed according to former establishment. And so a special direction was sent to all the officers and soldiers, to obey sir John Berkley, according to what had been formerly settled by the lords. He, in few days, put the business in very good order, and by storm took Wellington-house, where Greenvil had been hurt. I cannot omit here, that the lords, coming to visit Greenvil, in the instant that he was put into his litter, and carrying to Exeter, told him what they had thought necessary to be done in the point of command; the which he seeming very well to approve, they desired him to call his officers, (most of the principal being there present,) and to command them to proceed in the work in hand cheerfully, under the command of sir John Berkley; the which he promised to do, and immediately said somewhat to his officers, at the side of his litter, which the lords conceived to be what he had promised: but it appeared after that it was not so; and, very probably, was the contrary; for neither officer nor soldier did his duty after he was gone, during the time sir John Berkley commanded in that action.

The prince finding the public service in no degree advanced by the commissioners of Somerset, and that though there was no progress made in the association affected, and undertaken by them, yet it served to cross and oppose all other attempts whatsoever; those who had no mind to do any thing, satisfying themselves with the visible impossibility of that design, and yet the other, who had first proposed it, thinking themselves engaged to consent to no alteration; and his highness being informed by a gentleman, (sent by him, at his first coming to Bristol, to the two farthest western counties, to press the execution of whatsoever was promised in order to the association,) "that those two counties of Devon and Cornwall were entirely devoted to

"serve the prince, in what manner soever he should propose," he thought fit to summon the commissioners of all the associated counties, to attend upon him in some convenient place, where, upon full consideration, such conclusions might be made, as might best advance the work in hand, both for the reduction of Taunton, and raising a marching army; which counsel had been sooner given, and had in truth been fit to be put in practice upon his first coming to Bristol, when he discerned the flatness, peremptoriness, and unactivity of the gentlemen of Somerset; from whom it was evident nothing was to be expected, till, by the unanimity and strength of the two western counties, that county could be driven and compelled to do what was necessary, and to recede from their own sullen and positive determinations; which had been easy to do, but that shortly after his highness came to Bristol, upon what apprehensions no man knew, there was great jealousy at Oxford of his going farther west; and thereupon direction given, "that he should not remove from Bristol, but upon weighty reasons, and with which his majesty was to be first acquainted." Whereas, by his instructions, "he was to make his residence in such a place, as by the council should be thought most conducing to his affairs." However, such a meeting with all the commissioners being demonstrably necessary, and Bristol thought at too great a distance from the west, besides that the plague begun to break out there very much, for the time of the year, his highness resolved to go to Bridgewater for a few days, and to summon thither the commissioners, the rather to give some countenance to the business of Taunton, then closely besieged by sir John Berkley; and to that purpose directed his letters to the several commissioners to attend him there, on Wednesday the three and twentieth of April; the king being then at Oxford, preparing for the field, prince Rupert at Worcester, levying men, and the rebels at London in some disorder and confusion about their new model, having newly removed, the earl of Essex, and earl of Manchester, earl of Denbigh, and sir William Waller, from any command, and substituted sir Thomas Fairfax general; who was, out of the other broken and almost dissolved forces, to mould an army, which was then in no very hopeful forwardness.

Upon the day, the prince came to Bridgewater; and was attended by a great body of the commissioners of Somerset, that place being near the centre of that great county; there appeared for Dorsetshire, as sent from the rest, sir John Strangeways, Mr. Anchetil Grey, and Mr. Ryves; for Devonshire, sir Peter Ball, sir George Parry, Mr. Saint Hill, and Mr. Muddiford; and for Cornwall, sir Henry Killebrew, Mr. Coriton, Mr. Scawen, and Mr. Roscorroth. The whole body waited on the prince the next morning; and were then told, "that his coming thither was to receive their advice, and to give his assistance in what might concern the peace and welfare of each particular county, and might best advance the general service of the king; that if the association which had been proposed, seemed to them, by the accidents and mutations which had happened since the time of that first proposal," (as in truth very notable ones had happened,) "not fit now to be further prosecuted, he

"was ready to consent to any alteration they should propose, and to join with them in any other expedient; and wished them therefore to confer together, what was best to be done; and when they were ready to propose any thing to him, he would be ready to receive it." After two or three days' consultation amongst themselves, they were unanimously of opinion, (except sir John Stawel, who, against all the rest, and against all that could be said to him, continued positive for the general rising of one and all, and for that alone,) "that that design was for the present to be laid aside; and that, instead thereof, those counties, according to their several known proportions, would in a very short time" (as I remember a month was the utmost) "raise and arm six thousand foot, besides the prince's guards, which would be full two thousand more; not reckoning those of the lord Goring's, which were fifteen hundred, but including the foot of sir John Berkley and sir Richard Green-vil, then before Taunton;" which all men concluded would be reduced in less than a month. This proposition being approved by the prince, all particulars were agreed upon: the several days for the rendezvous of the new levies, and the officers to whom the men were to be delivered, named; and warrants issued out accordingly: all things requisite for the speedy reduction of Taunton ordered and directed; so that, in order to the taking that place, and the raising an army speedily, all things stood so fair, that more could not be wished.

As this journey to Bridgewater wrought this good effect, so it produced one notable inconvenience, and discovered another. The prince, having before his coming from Oxford been very little conversant with business, had been persuaded, from his coming out, to sit frequently, if not constantly, in council, to mark and consider the state of affairs, and to accustom himself to a habit of speaking and judging upon what was said; to the which he had with great ingenuity applied himself: but coming to Bridgewater, and having an extraordinary kindness for Mrs. Windham, who had been his nurse, he was not only diverted by her folly and petulancy from applying himself to the serious consideration of his business, but accustomed to hear her speak negligently and scornfully of the council; which, though it made no impression in him of disrespect towards them, encouraged other people who heard it, to the like liberty; and from thence grew an irreverence towards them; which reflected upon himself, and served to bring prejudice to their counsels throughout the whole course. She had besides many private designs of benefit and advantage to herself and her children, besides the qualifying her husband to do all acts of power without control upon his neighbours, and laboured to procure grants or promises of reversions of lands from the prince; and finding that the prince was not to transact any such thing without the advice of the council, and that they were not like to comply in those enterprises, she laboured to raise jealousies and dislikes between them, and kindled such a faction in the prince's family, as produced many inconveniences. For from hence sir Charles Berkley, who had a promise to be made controller of the prince's household, and Mr. Long, who had the like promise to be his secretary, when he should



be created prince of Wales, (till which time those officers were never made,) began to think they had injury done them, that they were not presently of the prince's council, to which the places they were to have gave them title; though they knew well, that the lords who then attended upon the prince, were of the king's privy council, and in that capacity only, waited upon his highness; and that the other were only of the prince's own council for his revenue, and for the administration of the duchy of Cornwall, for which his highness had now his livery.

However, these fancies, thus weakly grounded and entertained, made such an impression upon those persons, that they united themselves into a faction, and prevailed over the weakness of the earl of Berkshire to join with them; and, by degrees, all of them joined with all [other] discontented persons, to render the council to be much neglected and undervalued. Lastly, she being a woman of great rudeness, and of a country pride, *Nihil muliebri præter corpus gerens*, valued herself much upon the power and familiarity which her neighbours might see she had with the prince of Wales; and therefore, upon all occasions, in company, and when the concourse of the people was greatest, would use great boldness towards him; and, which was worse than all this, she affected in all companies, where she let herself out to any freedom, a very negligent and disdainful mention of the person of the king; the knowledge of which humour of hers, was one reason that made his majesty unwilling his son should go farther west than Bristol; since he knew Bridgewater must be a stage in that motion. And this her ill disposition was no sooner known to the lords, who were all absolute strangers to her before, than they took care that his highness should make no longer residence in that garrison.

The other inconvenience that it discovered, was the design of the lord Goring to have the command of the west. For then it grew very apparent, that, whatever had been pretended for Kent or Sussex, he had, from the beginning, affected that charge; and, I fear, had some other encouragement for it, than was then avowed. And therefore, from his first coming into those parts, he had with great industry caressed the commissioners of Somerset and Devon, and especially those whom he thought any way inclined against the lord Hopton; whom, by all ill arts, he endeavoured to undervalue; inveighing against "the too great contribution, assigned to the garrison of Bristol; and that any should be allowed to the unnecessary garrison (as he called it) at Lamport;" which had been lately settled by the lord Hopton; and, as appeared afterwards, was of vast importance: those discourses being most popular to the country, though most pernicious to the king; and promised "great strictness and severity of discipline, if that power under the prince might be devolved to him." To Bridgewater he came at the same time from Bath, upon pretence of "visiting Taunton, and seeing whether the work were like to be soon done, that it might be worth the intending it;" but, in truth, to drive on his project for command with the commissioners; who were invited by sir Peter Ball to make it one of their propositions to the prince, "that the lord Goring might be consti-

tuted his lieutenant general;" which he himself had so absolutely digested, that, as if the matter itself had been out of question, he proposed privately to most of the prince's council, the rules that should be observed between them in the government of the army, and the administration of the civil part. Some, of no extraordinary kindness to Goring, wished the agreement made, and him settled in the command, as the best, if not the only expedient, for advancement of the king's service, and for the speedy forming an army worthy of the prince's own person in the head of it; apprehending, that the dividing his forces from the new levies would leave a good body of foot without an equal power of horse, and without a train, except a longer time were given for the making it, than the state of affairs promised to permit. But when Goring discovered by his discourse with several of the council, (with whom he communicated upon the argument very freely, and expressed in plain English, "that except he might be satisfied in the particulars he proposed, he should have no heart to proceed in the public service,") that they would not consent to any act that might reflect upon the lord Hopton; and that some of them had such a prejudice to his person, that they would make no conjunction with him, he resolved to compass his ends some other way; and so pressed it no farther in any public address to the prince at that time. It is not to be omitted, that he was then offered, and assured, "that, as soon as the business of Taunton should be over, he should have such a recruit out of the new levies, as would make up his own foot three thousand men, besides officers;" with which he might well prosecute his former design; and, in the mean time, he had the absolute command; the lord Hopton not at all interposing, or meddling with the army.

It was now concluded by all men who had well considered his carriage and behaviour from his first coming into the west, that, as he had formed that design in his own thoughts from the first, of being about the prince, and resolved never to march with the army under prince Rupert, (whose nature was not agreeable to him,) so that he had purposely and willingly suffered Vandruske to relieve Taunton, and even Weymouth to be again recovered by that handful of men who had been beaten out of it, lest the business of the west might be done without him, or by other men; and that his presence there might not be thought necessary. For if Taunton had been reduced, as it must have been if that small party had not relieved it even in the last article, he could have had no pretence to have stayed in those parts, but must immediately have pursued his former design upon Sussex, and those other counties, for which he had never any reasonable foundation; or have continued his march to the king; which he had less mind to do. And when he first left Oxford, and went into Hampshire, which was before the end of the treaty at Uxbridge, he had, in his jovial fits, when he was always very unreserved, declared, with great resentment, "that his father was ill treated by the queen in France, and that he hoped shortly to find himself in such a posture, that the king should find it reasonable to use both his father and himself better." And yet the king had even then, upon his suit, made his father captain of his guard of halberts, and



created him earl of Norwich, whereby himself had the appellation of lord, which he enough affected: and in his first debauches at Exeter, his horse Porter, who was lieutenant general of his horse, informed some persons of honour in confidence, "that Goring resolved to make himself lieutenant general to the prince, or else to be very discontented." This advertisement was sent to some of the council, upon his highness's first coming to Bristol; and was the first hint that ever they received, that he had affected that charge; and was not, with the rest of his behaviour, like to dispose them to wish that he might obtain his desire; but to do all that was in their power to prevent it.

The general business concerning the four counties being agreed and settled at Bridgewater, the commissioners for Devon desired to be heard in what concerned that particular county; and then informed his highness, "that, upon sir Richard Greenvil's first entering upon the work of Plymouth, and his assurance, that he would take the town before Christmas-day, (which undertaking I myself saw under his hand,) and that he would forthwith raise, arm, and pay twelve hundred horse, and six thousand foot, they had assigned him above one half of their whole contribution, amounting to above eleven hundred pounds a week; and, for the providing arms and ammunition, had assigned him the arrears of the contribution due from those hundreds allotted to him; which amounted to near 6000*l.*; he having likewise the whole contribution of Cornwall, being above seven hundred pounds weekly; and had received most part of the letter and subscription money of that county towards the same service: that he had, from his first entering upon the charge, quietly enjoyed those contributions in Devon, which were duly paid; and had received the greatest part of the arrears assigned to him for the provision of arms and ammunition: notwithstanding all which, he had never bought above twenty barrels of powder, or any arms, but had received both the one and the other from them, out of their magazines; and had never maintained or raised near half the number of men to which he was obliged, till the week before he was required to march to Taunton; when he had called the *posse comitatus*, and thence forced almost the whole number of foot, which marched with him thither, bringing them with him, as far as Exeter, unarmed; and there compelled the commissioners to supply him with arms and ammunition; that having left not two thousand foot and four hundred horse before Plymouth, he continued still to receive the whole contribution formerly assigned when he was to have twelve hundred horse and six thousand foot; and would not part with any of it: so that he received more out of Devonshire for the blocking up of Plymouth, (having all Cornwall to himself likewise,) than was left for the garrisons of Exeter, Dartmouth, Barnstable, and Tiverton, and for the finishing those fortifications, victualling the garrisons, providing arms and ammunition; with which they had before not only supplied themselves, but had sent great quantities to the king's army, to the lord Goring, and to the siege of Taunton: that he would not suffer them to send any warrants to collect the letter and subscription money, to settle the excise, or meddle with delinquents'

"estates in the hundreds assigned to him for contribution; and had those continual contests with sir John Berkley, being colonel general of the county, and the other governors of garrisons; pretending that he had power to command them; that there was such an animosity grown between them, that they very much apprehended the danger of those divisions; there having been some blood shed, and men killed, upon their private contests:" and therefore besought his highness, "by his authority, to settle the limits of their several jurisdictions, in order to the martial affairs; and likewise to order sir Richard Greenvil to receive no more contribution, than would suffice for the maintenance of those men who continued before Plymouth; whereby they could be only enabled to perform their parts of the association."

This was pressed with so much earnestness and reason, that it was thought very advisable for his highness himself to go to Exeter, where both the commissioners and sir Richard Greenvil were; and there, upon the hearing of all that could be said, to settle the whole dispute. But at the same time, and whilst that matter was in consideration, letters came from his majesty to his highness and the lords, expressly inhibiting his going farther westward; upon what reasons I cannot imagine; and thereupon the prince himself returned to Bristol on Wednesday the thirtieth of April, having stayed at Bridgewater only seven days; and sent the lords Capel and Colepepper, and the chancellor of the exchequer, to Exeter, with instructions "to examine all the complaints and allegations of the commissioners, and to settle the business of the contribution; and upon view of the several commissions of sir John Berkley and sir Richard Greenvil, so to agree the matter of jurisdiction, that the public service might not be obstructed." And from hence I shall continue this discourse throughout all the agitations concerning sir Richard Greenvil to the time of his commitment; in which himself hath taken great pains to have it thought, he had very hard measure, and that thereby his majesty's service much suffered in the west.

As soon as the lords appointed by his highness to go to Exeter came thither, they went the same hour to visit sir Richard Greenvil, who was still bedrid of his hurt. They intended it only as a visit, and so would not reply, at that time, to many very sharp and bitter complaints and invectives he made against sir John Berkley, (who was then at the leaguer before Taunton,) but told him, "that they would come to him again the next day, and consider of all businesses." Accordingly they came, when, with great bitterness, he again complained of the governor, and some disrespects from his lieutenant governor: but when he was pressed to particulars, he mentioned principally some high and disdainful speeches, the most of which were denied by the other, and the withholding some prisoners from him, which he had sent his marshal for near Taunton. The truth of which was this; whilst sir Richard was before Taunton, he had sent for one Mr. Symms, a justice of peace of the county, a rich and decrepit man, who lived within three miles of that town. He charged him with some inclinations to the rebels, and of favouring their proceedings. The gentleman stood upon his justification and innocence, and desired to be put upon any trial. However, sir Richard told

him, "he was a traitor, and should redeem himself 'at a thousand pounds, or else he would proceed 'in another way,'" and gave him three days to provide the money. Before the time expired, sir Richard was hurt, and carried to Exeter; whither he no sooner came, but he despatched his marshal to fetch Mr. Syme to him; who appealed to sir John Berkley, (who had then the command,) and desired to be put upon any trial; and (besides that he was of a very infirm body, and unfit for travel) many gentlemen of the best quality gave him a very good testimony, and undertook for his appearance, whenever he should be called upon. Upon this sir John Berkley discharged the marshal, and writ a very civil letter to sir Richard Greenvil, of the whole matter; "and that he would 'see the gentleman forth coming upon the least 'warning; but that it would be an act of great 'cruelty, to carry him a prisoner, in that indis-' 'position of health, from his house." Sir Richard looked upon this as the robbing him of a thousand pounds, and writ such a letter to sir John Berkley, so full of ill language and reproach, as I have never seen the like from and to a gentleman; and complained to us of the injury. We told him, "that neither he, nor sir John Berkley, had any 'authority to meddle with Mr. Syme, or any per-' 'sons of that quality; who could not be looked 'upon as prisoners of war; but if in truth he 'should prove to be a delinquent, and guilty of 'those crimes objected against him, his fine and 'composition was due to the king, who had 'assigned the same to the prince for the public 'service; and that there were commissioners, 'before whom he was regularly to be tried, and 'with whom he might only compound." He would not understand the reason of this, but insisted upon "sir John Berkley's protecting Syme, 'as a great indignity to himself." On the other hand, sir John Berkley complained by his letters, "that those soldiers brought to Taunton 'by Greenvil every day mouldered away, and he 'had reason to believe it was by his direction; 'for that those that stayed, and the officers, were 'very backward in performing their duties; and 'that, after the taking of Wellington-house, he had 'commanded that nothing should be done towards 'the defacing it, because it might possibly be fit 'to put a garrison into it, if the siege should be 'raised from Taunton; but that the officer, who 'was under Greenvil, had, notwithstanding such 'command, burned it: that he proceeded in the 'levying monies, and sending out extravagant 'warrants throughout the county;" and many other particulars.

Sir Richard Greenvil denied, "that the soldiers 'left the leaguer, or that Wellington-house was 'burned by any direction of his;" though it appeared, that all such soldiers as left their colours and came to him, were kindly used, and had money given to them by him; and that lieutenant colonel Robinson, after he had received orders from sir John Berkley not to slight Wellington-house, rode to Exeter to sir Richard Greenvil, and immediately, upon his return from him, caused it to be burnt. Greenvil said, "that he levied no monies, 'nor issued out any warrants, but what he had 'authority to do by his commission." In the end they shewed him their instructions from the prince, "thoroughly to examine all differences between 'them; and, upon view of both their commis-

sions, to agree what limits each of them should 'observe." Thereupon he shewed them his commission in paper, under his majesty's sign manual, attested by the lord Digby, by which he was authorized "to command the forces before Ply-' 'mouth;" and in order thereunto, with such clauses of latitude and power, as he might both raise the *posse*, and command the trained bands, and indeed the whole forces of both counties; and was to receive orders from his majesty, and his lieutenant general; and was likewise at that time high sheriff of Devon. Sir John Berkley's commission was precedent, and more formal, being under the great seal of England, "of colonel 'general of the counties of Devon and Cornwall, 'and to command the whole forces of both 'counties, as well trained bands as others;" so that, though their commissions were not in intention all one, yet they included clauses and powers so much the same, that either of them had authority enough to disturb the other; and he that only saw his own, might reasonably think he had power over the other: which, between persons so disinclined one to the other as they were grown to be, might have proved very fatal, if the remedy had not been so near by his highness's authority.

After the perusal of their commissions, they shewed him their instructions, concerning the regulating the contributions, in proportionable assignments for the several services; and desired his opinion, "what forces were now necessary for 'the blocking up of Plymouth, since any attempt 'for the taking it was to be laid aside, at least for 'a time? And that thereupon, such assignation 'might be made to that purpose, as was sufficient, 'and the rest otherwise disposed of." He told them, "that the forces then there (being about 'fifteen hundred foot and four hundred horse, of 'the Devonshire side) were sufficient;" and proposed allowance little enough for the service; and then said, "that it troubled him to be confined to 'such an employment, as the blocking up a place, 'whilst there was like to be so much action in 'the field; and therefore he hoped his highness 'would give him leave to wait on him in the 'army; where he thought he might do him much 'better service." They told him, "they had au-' 'thority from the prince," (for some of his friends had mentioned the same, soon after he had received his wound,) "if they found his health able to bear 'it, and his inclination led him that way, to let 'him know, that his highness would be glad of 'his service, in the moulding that army which 'was then raising; which, allowing two thousand 'foot to the recruiting the lord Goring, would be 'in view six thousand foot, and above two thou-' 'sand horse with the guards; in which he had 'designed him the second place of command." But then, they said, "they knew not where to place 'the command of Plymouth." Sir Richard very cheerfully received the proposition for himself in the army; and for Plymouth, he said, "no man 'was fit to undertake the work there, but sir 'John Berkley, who had the command of both 'counties: that it was visible by the differences 'and breaches that had been between them, how 'inconvenient it would be to have that charge 'independent; whereas, if it were in one hand, 'the unanimous consent of both counties, and 'all the forces in them, would more easily do the 'business."

All things being thus agreed upon, as far as they could be without sir John Berkley's consent, who was then before Taunton; the lords resolved to return to the prince, and in their way to dispose sir John Berkley to what had been proposed; and left the chancellor of the exchequer at Exeter, to agree with the commissioners upon the settlement of the contributions, and to settle some other particulars which they had resolved upon. The whole contribution of the county of Devon amounted to two thousand pound weekly; whereof so many hundreds were assigned by the commissioners, for the maintenance of the forces before Plymouth, as amounted to the just proportion and establishment proposed by sir Richard Greenvil himself; and then so many to the garrisons of Exeter, Dartmouth, Barnstable, and Tiverton, as amounted to the payment of such forces, as, on all hands, were agreed to be absolutely necessary for their defence, at the lowest establishment. All which being done, upon supposition that the whole contribution, being two thousand pound weekly, would be, according to the assignments, exactly paid, there remained not a penny overplus, for the buying ammunition and arms, for the finishing fortifications, for victualling the garrisons, or for blocking up of Lyme; which if it were not done, all that part of the country would be liable to that pressure; and so, unable to pay contribution where it was assigned. But it was supposed, the last might be done by drawing out some numbers from the several garrisons, if there were no disturbance from abroad; and the rest must be supplied out of the excise, the major part whereof was by the king assigned for the support of the princess [Henrietta, left at Exeter], and some other extraordinary ways to be thought of: the latter money and subscription money being almost exhausted.

His highness was no sooner returned to Bristol from Bridgewater, which was on the last day of April, than general Goring was sent for by the king, to draw his horse and dragoons towards Oxford; that thereby his majesty might free himself from Cromwell; who, with a very strong party of horse and dragoons, lay in wait, to interrupt his joining with prince Rupert about Worcester. How unwelcome soever these orders were to the lord Goring, yet there was no remedy but he must obey them: and it was now hoped, that the west should be hereafter freed from him, where he was at that time very ungracious. He marched with that expedition towards the king, who was then at Woodstock, that he fell upon a horse quarter of Cromwell's, and another party of Fairfax's horse, as they were attempting a passage over the river of Isis, so prosperously, (the very evening before he came to the king,) that he broke and defeated them with a great slaughter, which gave him great reputation, and made him exceedingly welcome: and it was indeed a very seasonable action, to discountenance and break such a party, in the infancy of their new model; and did break their present measures, and made Fairfax to appoint a new place of rendezvous for his new army, at a greater distance from the king's forces.

Prince Rupert, who now met with very little opposition in council, had, throughout the winter, disposed the king to resolve "to march northwards, and to fall upon the Scottish army in "Yorkshire, before Fairfax should be able to per-

"fect his new model to that degree, as to take the "field." This design was not unreasonable; nor the prince to blame for desiring to take revenge on them who had offended him so terribly the last year; which, now they were separated from the English, who had indeed defeated him, he believed was easy to be done. That purpose of marching northward was now the more hastened, that, in the way, Chester might be relieved; which was closely besieged; and then they might come soon enough to Pontefract-castle, before which the Scottish army then was; and if they could defeat that, the king would be again, upon the matter, master of the north: which, by the insolence of the Scots, and the dislike they had of the new model, was conceived to be better affected than ever. The next day after Goring came to the king, the army was drawn to a rendezvous, and consisted then of five thousand foot, and above six thousand horse; an army not to be reasonably lessened in the beginning of a campaign, when the king was to expect he should have so much to do; and if it had been kept together, it is very probable that the summer might have been crowned with better success.

Fairfax was then about Newbury, not in readiness to march; yet reported to be much more unready than he was, and that his design was to carry his whole army to the relief of Taunton, which was brought almost to extremity; which if he could bring to pass, would give him great reputation, and would make the parliament near sharers with the king in the interest of the west. Upon this prospect, it was thought reasonable, and accordingly proposed "that the king himself would "march with his army into the west; and thereby, "not only prevent the relief of Taunton, but compel Fairfax to fight, before he should be able to "join with Cromwell; who had not yet gathered "his troops together." This was the concurrent advice of the whole council with which the king used to advise, prince Rupert only excepted, and sir Marmaduke Langdale, who commanded the northern horse; which were impatient to be in their own country. Now the very contrary affections towards each other, between prince Rupert and the lord Goring, began to cooperate to one and the same end. The prince found that Goring, as a man of a ready wit, and an excellent speaker, was like to have most credit with the king in all debates; and was jealous, that, by his friendship with the lord Digby, he would quickly get such an interest with his majesty, that his own credit would be much eclipsed. Hereupon, he did no less desire that Goring should return again into the west, than Goring did, not to remain where prince Rupert commanded. This produced a great confidence and friendship between them, and the prince told him all that any of the council had spoken freely to him, when his highness abhorred nothing more than that Goring should be near the prince of Wales; and Goring said all of the council, which he believed would most irreconcile him to them. So they both agreed to do all they could, to lessen the credit and authority of the council. The king was desired to receive the information and state of the west from Goring; who, upon the late good fortune he had, and by the artifices of the lord Digby, was too easily believed. He informed the king with all imaginable confidence, "that if, by "the positive command of the prince, contrary to

"his opinion and advice, his forces had not been taken from him, and applied to the siege of Taunton, he had doubtless totally ruined all Waller's forces, and prevented the coming of those parties who had given his majesty so much trouble at Oxford: that he had been always used, upon his resort to the prince, with great disrespect, being not called into the council, but put to an attendance without, amongst inferior suitors;" and then told many particular passages at Bridgewater, of which he raised advantage to himself, upon the prejudices he begot to others.

Whereas the truth of the design upon Taunton is before set down, with all the circumstances; and Waller was marched beyond Salisbury, before the lord Goring knew where he was; and confessed, there was no overtaking him; and he had always received as much respect from the prince and council, as could be given to a subject; being constantly called, and admitted to council when he was present; and when absent, opinions and advices sent to him from the council, upon such particulars as himself proposed, with a full reference to his discretion, to do, upon the place, as he judged most meet: yet, I say, he got so much credit, that the king, by his letter of the tenth of May to the prince, directed, "that general Goring should be admitted into all consultations and debates, and advised withal, as if he were one of the established council; that prince Rupert having granted him power to give commissions in that army, all commissions to be granted should pass by general Goring; and that none should be granted by the prince, in his own name, otherwise than in such cases as were of relation merely to the association: that the council should contribute their opinions and advices to general Goring, but that his highness should carefully forbear to give unto the lord Goring any positive or binding orders;" whereas, by his instructions, when he came from Oxford, he was to put both his commissions, of generalissimo, and of general of the association, in execution, as he found most convenient; his majesty himself then entertaining very little hope of the association, as it was proposed; and therefore, by his letters to the prince of the twentieth of April, which came to him at Bridgewater, all the assignations formerly made towards the association, were directed to be disposed, and converted to such uses, as by the advice of his council should be found most advantageous to the service of those parts; and thereupon the levies were consented to, and directed as is before mentioned. With these triumphant orders, the lord Goring returned into the west; where we shall now leave him, and wait upon his majesty, in his unfortunate march, until we find cause enough to lament that counsel, which so fatally dismissed him and his forces, at a time, in which, if he were born to serve his country, his presence might have been of great use and benefit to the king; which it was never after in any occasion.

When Goring was thus separated from the king's army, his majesty marched to Evesham; and in his way, drew out his garrison from Cambden-house; which had brought no other benefit to the public, than the enriching the licentious governor thereof; who exercised an illimited tyranny over the whole country, and took his leave of it, in wantonly burning the noble structure, where he had too long inhabited, and which,

not many years before, had cost above thirty thousand pounds the building. Within few days after the king left Evesham, it was surprised by the enemy, or rather stormed and taken for want of men to defend the works; and the governor and all the little garrison made prisoners. The loss of this place was an ill omen to the succeeding summer; and, upon the matter, cut off all the intercourse between Worcester and Oxford; nor was it at all repaired by the taking of Hawkesley-house in Worcestershire; which the rebels had fortified, and made strong, and which the king's army took in two days, and therein the governor, and one hundred and twenty prisoners; who served to redeem those who were lost in Evesham. And so, by easy and slow marches, they prosecuted their way towards Chester. But, in Staffordshire, the lord Byron, who was governor of Chester, met the king; and informed him, "that the rebels, upon the noise of his majesty's advance, were drawn off;" and so there was no more to be done, but to prosecute the northern design; which was now intended, and the army upon its march accordingly, when intelligence was brought, "that Fairfax had sent a strong party to relieve Taunton, and was himself, with his army, sat down before Oxford." This could not but make some alteration, at least a pause in the execution of the former counsels: and yet Oxford was known to be in so good a condition, that the loss of it could not in any degree be apprehended, and nothing could more reasonably have been wished, than that Fairfax should be thoroughly engaged before it: and it was concluded, "that the best way to draw him from thence, would be to fall upon some place possessed by the parliament."

And they had no considerable town so near the place where the king then was, as Leicester; in which there was a good garrison, under the command of sir Robert Pye; and prince Rupert, who was always pleased with any brisk attempt, cheerfully entertained the first motion, and sent sir Marmaduke Langdale forthwith to surround it (which was of great extent) with his horse; and the next day, being the last of May, the whole army was drawn about the town, and the prince, having taken a view of it, commanded a battery to be forthwith raised against an old high stone wall, on the south side of the town; which, by his own continued presence, was finished with admirable diligence: which done, he sent a summons to the governor; who returned not such an answer as was required. Thereupon, the battery began to play; and, in the space of four hours, made such a breach, that it was thought counsellable, the same night to make a general assault with the whole army, in several places; but principally at the breach; which was defended with great courage and resolution; insomuch, that the king's forces were twice repulsed with great loss and slaughter; and were even ready to draw off in despair: when another party, on the other side of the town, under the command of colonel Page, seconded by a body of horse that came but that day from Newark, and, putting themselves on foot, advanced, with their swords and pistols, with the other, entered the town; and made way for their fellows to follow them: so that, by the break of day, the assault having continued all the night, all the king's army entered the line. Then the governor, and all the officers and soldiers, to the

number of twelve hundred, threw down their arms, and became prisoners of war : whilst the conquerors pursued their advantage, with the usual license of rapine and plunder, and miserably sacked the whole town, without any distinction of persons or places ; churches and hospitals, as well as other houses, were made a prey to the enraged and greedy soldier, to the exceeding regret of the king ; who well knew, that, how disaffected soever that town was generally, there were yet many who had faithful hearts to him, and who he heartily wished might be distinguished from the rest : but those seasons admit no difference of persons. Though the place was well gotten, because so little time had been spent in the getting it, yet it was not without very considerable loss on the king's side ; there being near two hundred soldiers dead upon the places of assault, with many officers ; colonel Saint George, and others of name ; besides many more wounded and maimed. The king presently made the lord Loughborough, a younger son of the earl of Huntington, and one who had served him eminently from the beginning of the war, governor of Leicester ; and sir Matthew Appleyard, a soldier of known courage and experience, his lieutenant governor.

The taking of Leicester, the chief town of that province, even as soon as he came before it, and in that manner, purely by an act of great courage, gave the king's army great reputation, and made a wonderful impression of terror upon the hearts of those at Westminster ; who now revolved the conditions which were offered at Uxbridge ; and which they had refused. They began to curse their new model ; and to reproach those who had persuaded them "so ingratelully to throw off their old general, who was ready to foment all their discontents. It was not above twenty days, that the king's army had been in the field, and in that short time it had reduced two strong garrisons of theirs, without giving the soldiers any conditions, Hawkesly-house in Worcestershire, and the town of Leicester : whilst their new general Fairfax had only faced Oxford at a distance, to try whether the ladies would prevail for the giving up of the town, to pacify their fears ; and had attempted to take a poor house that lay near, Borstall-house, and had been beaten from thence with considerable loss, and had drawn off from both, very little to his honour." These discourses were so public in the city, and had so much credit in both houses of parliament, that they exceedingly desired peace, and exercised their thoughts only how they might revive the old treaty, or set a new one on foot ; when the evil genius of the kingdom in a moment shifted the whole scene.

Leicester was a post, where the king might, with all possible convenience and honour, have sat still, till his army might have been recruited, as well as thoroughly refreshed. Colonel Gerrard was upon his march towards him from Wales, with a body of three thousand horse and foot : and he had reason to expect, that the lord Goring would be very shortly with him with his horse ; for he was not departed from the king above four or five days, with those orders which are mentioned before, (and with which he was so well pleased,) but that the king saw cause to repent his separation, and sent other orders to recall him as soon as was possible. But the king's fate, and the natural unsteadiness

and irresolution of those about him, hurried him into counsels very disagreeable to the posture he was in. He knew not that Fairfax was gone from Oxford ; and the intelligence, which some men pretended to have received from thence, was, "that it was in distress." The duke of York remained there ; the council, many lords and ladies, who sent intelligence to their friends, and all the magazines were there ; and if all these should fall into the enemy's hands, Leicester would appear a very poor recompence. These particulars being unskillfully, yet warmly pressed by those who could not be understood to mean amiss, the king resolved to march directly for Oxford ; and in order thereunto, within five days after the taking of Leicester, he appointed the rendezvous for his army ; where he might yet very reasonably have been discouraged from prosecuting that intention ; for it then appeared evidently, how very much it was weakened by and since that action, and by the loss of those who were killed and wounded in the storm ; by the absence of those who were left behind in the garrison ; and by the running away of very many with their plunder, who would in few days have returned.

The number of the king's foot which remained, did not amount to above five hundred above three thousand ; which was not a body sufficient to fight a battle for a crown. Then, all the northern horse, who had promised themselves, and were promised by the king, that they should go into their own country, were so transported with this new resolution, that they were with great difficulty restrained from disbanding ; and, though they were at last prevailed with to march, were not enough recovered to be depended upon in any sudden action. Notwithstanding all this, the march was continued ; the next day, at Harborough, the intelligence came "that Fairfax was drawn off from Oxford, without having ever approached so near it, as to discharge one piece of cannon upon it ; that he had been beaten off from Borstall-house with the loss of officers, as well as soldiers ; and that he was marched with his whole army to Buckingham." But this kindled a greater appetite to find him out, than there was before. Indeed there was less reason to march northward, since they might well apprehend the Scottish army in their face, and Fairfax in their rear. But there was the same reason still for their retiring back to Leicester, or to Worcester, where they might expect, and could not fail of an addition of forces to the army ; and where the enemy, who must now be obliged to find them out, must come with many disadvantages. These considerations were all laid aside, and every body believed, that Fairfax's army was much dispirited, by having failed in their two first enterprises ; and that it was now led out of the way, that it might recover courage, before it should be brought to fight with so victorious troops as the king's were : and therefore, that it was best to find them out, whilst their fear was yet upon them : all men concluded that to be true, which their own wishes suggested to them. And so the army marched to Daventry in Northamptonshire : where, for want of knowing where the enemy was, or what he intended to do, the king remained in a quiet posture the space of five days.

Upon the thirteenth of June the king received intelligence, that Fairfax was advanced to Northampton, with a strong army ; much superior to

the numbers he had formerly been advertised of. Whereupon, he retired the next day to Harborough; and meant to have gone back to Leicester, that he might draw more foot out of Newark, and stand upon his defence, till the other forces, which he expected, could come up to him. But, that very night, an alarm was brought to Harborough, that Fairfax himself was quartered within six miles. A council was presently called, and the former resolution of retiring presently laid aside, and a new one as quickly taken, "to fight;" to which there was always an immoderate appetite, when the enemy was within any distance. They would not stay to expect his coming, but would go back to meet him. And so, in the morning early, being Saturday the fourteenth of June, all the army was drawn up, upon a rising ground of very great advantage, about a mile south from Harborough, (which was left at their back,) and there put in order to give or receive the charge. The main body of the foot was led by the lord Astley, (whom the king had lately made a baron,) consisting of about two thousand and five hundred foot; the right wing of horse, being about two thousand, was led by prince Rupert; the left wing of horse, consisting of all the northern horse, with those from Newark, which did not amount to above sixteen hundred, was commanded by sir Marmaduke Langdale; in the reserve were the king's life-guard, commanded by the earl of Lindsey, and prince Rupert's regiment of foot, (both which did make very little above eight hundred,) with the king's horse-guards, commanded by the lord Bernard Stuart, (newly made earl of Litchfield,) which made that day about five hundred horse.

The army, thus disposed in good order, made a stand on that ground to expect the enemy. About eight of the clock in the morning it began to be doubted, whether the intelligence they had received of the enemy was true. Upon which the scout-master was sent to make farther discovery; who, it seems, went not far enough; but returned and averred, "that he had been three or four miles forward, and could neither discover nor hear any thing of them:" presently, a report was raised in the army, "that the enemy was retired." Prince Rupert thereupon drew out a party of horse and musketeers, both to discover and engage them, the army remaining still in the same place and posture they had been in. His highness had not marched above a mile, when he received certain intelligence of their advance, and in a short time after, he saw the van of their army, but it seems not so distinctly, but that he conceived they were retiring. Whereupon, he advanced nearer with his horse, and sent back, "that the army should march up to him;" and the messenger who brought the order said, "that the prince desired they should make haste." Hereupon the advantage ground was quitted, and the excellent order they were in, and an advance made towards the enemy, as well as might be. By that time they had marched about a mile and an half, the horse of the enemy was discerned to stand upon a high ground about Naseby; whence seeing the manner of the king's march, in a full campaign, they had leisure and opportunity to place themselves, with all the advantages they could desire. The prince's natural heat and impatience could never endure an enemy long in his view; nor believe that they had the courage to endure his charge. And so the

army was engaged before the cannon was turned, or the ground made choice of upon which they were to fight: so that courage was only to be relied upon, where all conduct failed so much.

It was about ten of the clock when the battle began: the first charge was given by prince Rupert; who, with his own, and his brother prince Maurice's troop, performed it with his usual vigour; and was so well seconded, that he bore down all before him, and was master of six pieces of the rebels' best cannon. The lord Astley, with his foot, though against the hill, advanced upon their foot; who discharged their cannon at them, but overshot them, and so did their musketeers too. For the foot on either side hardly saw each other till they were within carbine shot, and so only gave one volley; the king's foot, according to their usual custom, falling in with their swords, and the butt-ends of their muskets; with which they did very notable execution, and put the enemy into great disorder and confusion. The right wing of horse and foot being thus fortunately engaged and advanced, the left wing, under sir Marmaduke Langdale, in five bodies, advanced with equal resolution; and was encountered by Cromwell, who commanded the right wing of the enemy's horse, with seven bodies greater and more numerous than either of the other; and had, besides the odds in number, the advantage of the ground; for the king's horse were obliged to march up the hill, before they could charge them: yet they did their duty, as well as the place, and great inequality of numbers, would enable them to do. But being flanked on both sides by the enemy's horse, and pressed hard, before they could get to the top of the hill, they gave back, and fled farther and faster than became them. Four of the enemy's bodies, close, and in good order, followed them, that they might not rally again; which they never thought of doing; and the rest charged the king's foot, who had till then so much the advantage over theirs; whilst prince Rupert, with the right wing, pursued those horse which he had broken and defeated.

The king's reserve of horse, which was his own guards, with himself in the head of them, were even ready to charge those horse who followed his left wing, when, on a sudden, such a panic fear seized upon them, that they all run near a quarter of a mile without stopping; which happened upon an extraordinary accident, that hath seldom fallen out, and might well disturb and disorder very resolute troops, as those were the best horse in the army. The king, as was said before, was even upon the point of charging the enemy, in the head of his guards, when the earl of Carnearth, who rode next to him, (a man never suspected for infidelity, nor one from whom the king would have received counsel in such a case,) on a sudden, laid his hand on the bridle of the king's horse, and swearing two or three full mouthed Scottish oaths, (for of that nation he was,) said, "Will you go upon your death in an instant?" and, before his majesty understood what he would have, turned his horse round; upon which a word run through the troops, "that they should march to the right hand;" which was both from charging the enemy, or assisting their own men. And upon this they all turned their horses, and rode upon the spur, as if they were every man to shift for himself.

It is very true, that, upon the more soldierly word *stand*, which was sent to run after them, many of them returned to the king; though the former unlucky word carried more from him. And by this time, prince Rupert was returned with a good body of those horse, which had attended him in his prosperous charge on the right wing; but they having, as they thought, acted their parts, could never be brought to rally themselves again in order, or to charge the enemy. And that difference was observed shortly from the beginning of the war, in the discipline of the king's troops, and of those which marched under the command of Cromwell, (for it was only under him, and had never been notorious under Essex or Waller,) that, though the king's troops prevailed in the charge, and routed those they charged, they never rallied themselves again in order, nor could be brought to make a second charge again the same day: which was the reason, that they had not an entire victory at Edge-hill: whereas Cromwell's troops, if they prevailed, or though they were beaten, and routed, presently rallied again, and stood in good order, till they received new orders. All that the king and prince could do, could not rally their broken troops, which stood in sufficient numbers upon the field, though they often endeavoured it, with the manifest hazard of their own persons. So that, in the end, the king was compelled to quit the field, and to leave Fairfax master of all his foot, cannon, and baggage; amongst which was his own cabinet, where his most secret papers were, and letters between the queen and him; of which they shortly after made that barbarous use as was agreeable to their natures, and published them in print; that is, so much of them, as they thought would asperse either of their majesties, and improve the prejudice they had raised against them; and concealed other parts, which would have vindicated them from many particulars with which they had aspersed them.

It will not be seasonable, in this place, to mention the names of those noble persons who were lost in this battle; when the king and the kingdom were lost in it; though there were above one hundred and fifty officers, and gentlemen of prime quality, dead upon the spot; whose memories ought to be preserved. The enemy left no manner of barbarous cruelty unexercised that day; and in the pursuit killed above one hundred women, whereof some were the wives of officers of quality. The king and prince Rupert, with the broken troops, marched by Leicester that night to Ashby de la Zouch; and the next day to Litchfield; and continued two days' march more, till he came to Bewdley in Worcestershire; where he rested one day; and then went to Hereford, with some disjointed imagination, that he might, with those forces under Gerrard, who was general of South Wales, and was indeed upon his march, with a body of two thousand horse and foot, be able to have raised a new army. At Hereford, prince Rupert, before any formed counsel was agreed upon, what the king should do next, left the king, and made haste to Bristol, that he might put that place into a condition to resist a powerful and victorious enemy; which, he had reason to believe, would in a short time appear before it. And nothing can be here more wondered at, than that the king should amuse himself about forming a new army in counties which had been vexed, and

worn out with the oppressions of his own troops, and the license of those governors, whom he had put over them; and not have immediately repaired into the west, where he had an army already formed, and a people, generally, well devoted to his service, and whither all his broken troops, and general Gerrard, might have transported themselves, before Fairfax could have given them any interruption; who had somewhat to do, before he could bend his course that way: of which unhappy omission we shall have too much occasion to take more notice, after we have again visited the west.

The sickness which infested Bristol, and which was thought to be the plague, had made it necessary for the prince [of Wales] to remove from thence: and no place was thought so convenient for his residence as Barnstable, a pleasant town in the north part of Devonshire, well fortified, with a good garrison in it, under the command of sir Allen Apsley. And as his highness was upon his way thither, he received the orders which the lord Goring, who was now returned, had procured from the king; and which he carefully transmitted to his highness as soon as he arrived. And at the same time, the lord Colepepper received another letter from the lord Digby, dated four days after the former orders, by which he signified "the king's express pleasure, that the lord Goring should command those forces in chief; that sir Richard Greenvil should be major general of the whole army; that sir John Berkley, as colonel general of Devon and Cornwall, should intend the work before Plymouth; and that prince Rupert would send his ratification of all these; that the lord Hopton should attend his charge at the army, as general of the artillery." To which purpose, his majesty with his own hand writ to the lord Hopton; and that the prince should not be in the army, but keep his residence in a safe garrison; and there, by the advice of "his council, manage and improve the business of the west, and provide reserves, and reinforcements for the army:" with an intimation, "that Mr. Smith's house, near Bristol, would be a convenient place for his residence."

The prince and council were much amazed at these counsels and resolutions, so different from those which had been made; and therefore they thought it fit to conceal them, till they might represent faithfully to his majesty the state and condition of those parts, and their advice thereupon: well knowing, that if it were believed in the county, that the prince's authority was in the least manner superseded or diminished, besides other inconveniences, the hopeful levies, upon the agreement at Bridgewater, would be in a moment determined; the gentlemen who were to raise regiments, professing, "that they would receive no commissions but from his highness." But whatever secrecy they used to conceal the matter of those letters, and hastened away a despatch to the king concerning it, the lord Goring took as much care to publish them; and from that time expressed all possible contempt at least of the council attending the prince. However, within three days, there was another change; for the lord Digby, (sending at the same time express orders from the king to the lord Goring to that purpose,) by his letters to the lords of the council, of the nineteenth of May, within five days after the former, signified "his majesty's pleasure, that the lord Goring should









Engraved by W. Finden.

**MONTAGU BERTIE, EARL OF LINDSEY.**

**OB. 1666.**

**FROM THE ORIGINAL OF VANDYKE IN THE COLLECTION OF  
THE RIGHT HON<sup>BLE</sup> BARONESS WILLOUGHBY OF FRESBY**



"march forthwith towards Northamptonshire, with all the forces could be spared; and that the prince himself should stay at Dunstar-castle, and encourage the new levies:" it being (I presume) not known at court, that the plague, which had driven him from Bristol, was as hot in Dunstar town, just under the walls of the castle. And then again, a letter to the lord Hopton from the king, ordered him "to command the forces under the prince." The prince was then, as was said before, in his way to Barnstable; having left five hundred of his guards to keep the fort in Bristol, the garrison being then very thin there, by reason of so many drawn from thence for the service before Taunton.

General Goring, upon his return from the king, found Taunton relieved by a strong party of two thousand horse, and three thousand foot, which unhappily arrived in the very article of reducing the town, and after their line was entered, and a third part of the town was burned. But this supply raised the siege, the besiegers drawing off without any loss; and the party that relieved them, having done their work, and left some of their foot in the town, made what haste they could, to make their retreat eastward; when Goring fell so opportunely upon their quarters, that he did them great mischief; and believed that, in that disorder, he had so shut them up between narrow passes, that they could neither retire to Taunton, nor march eastward: and doubtless he had them then at a great advantage, by the opinion of all men that knew the country. But, by the extreme ill disposing his parties, and for want of particular orders, (of which many men spoke with great license,) his two parties sent out several ways to fall upon the enemy about Petherton-bridge, the one commanded by colonel Thornhill, the other by sir William Courtney, (both diligent and sober officers,) they fell foul on each other, to the loss of many of their men; both the chief officers being dangerously hurt, and one of them taken, before they knew their error; through which the enemy with no more loss got into and about Taunton: notwithstanding which untoward accident, general Goring was, or seemed, very confident that he should speedily so distress them, that the place would be the sooner reduced, by the relief that had been put into it, and that in few days they would be at his mercy.

This was before the latter end of May; when, upon the confidence of speedily despatching that work, all possible and effectual care was taken to supply him with provisions, and to send all the new levied men and his highness's own guards thither. Insomuch, as he had within few days a body of full five thousand foot, and four thousand horse; which he quartered at the most convenient places; rather for ease than duty; having published orders, under pretence of preserving the country from plunder, and with a promise of most exemplary discipline, "that sixpence a day should be collected for the payment of each trooper;" to which he got the commissioners' consent; by virtue whereof he raised great sums of money, without the least abatement of the former disorders: yet he proceeded with such popular circumstances, sending most specious warrants out, and declarations for reformation; sometimes desiring, "that solemn prayers might be said in all churches for him; and to desire God to bless some attempt

"he had then in hand;" always using extreme courtship to the commissioners, (whom he bare-faced informed, "that he was to have, or rather, "that he had the absolute command of the west "under the prince, without reference to his council,") that with his promises, proclamations, and courtship, together with laughing at those persons they were angry at, he had wrought himself into very popular consideration; till they found, that he promised and published orders, to no other purpose than to deceive them; and that, whilst he seemed with them to laugh at other men, he made them properties only to his own ends.

In this conjuncture, the king's letter came to the lord Goring, to march; to which he returned an answer by an express, before he desired the prince's directions; though he was diligent enough to procure his highness's opinion for the respite of his march. The truth is, the assurance that he gave of his reducing those forces within very few days; the leaving all the west to the mercy of the rebels, if he went before they were reduced; the danger of their marching in his rear, and carrying as great an addition of strength to the enemy, as general Goring could carry to the king, except he carried with him the forces of the several garrisons, which were then joined to him, made it very counselable to suspend a present obedience to those orders, till his majesty might receive the full and true state of his affairs in those parts; to which purpose, an express was sent likewise by his highness to the king. In the mean time, general Goring was so far from making any advance upon Taunton, that he grew much more negligent in it than he had been; suffered provisions, in great quantities, to be carried into the town, through the midst of his men; neglected and discouraged his own foot so much, that they ran away faster than they could be sent up to him; and gave himself wholly to license: insomuch that many times he was not seen abroad in three or four days together. Then came the news of the fatal blow at Naseby, which freed him from any fear of being drawn out of the west; yet he used no expedition to attempt any thing upon the enemy, who were exceedingly disheartened; but suffered his guards to be more negligently kept; insomuch that his quarters were often beaten up, even in the day time; whilst some principal officers of his army, as lieutenant general Porter, and others, with his license, had several parleys with the officers of the rebels, to the very great scandal of the rest; who knew not what interpretation to make of it, at a time that he used to mention the person of the king with great contempt, and avowed in all places a virulent dislike of the prince's council. And, after about six weeks lying about Taunton, the forces whereof he promised to confound (I mean those that marched to the relief of it) within few days, he was forced himself to retire, and suffer them to join with sir Thomas Fairfax; who in the beginning of July marched towards those parts.

After the prince came to Barnstable, though he very seldom received any account from the lord Goring of what happened, he was informed by several persons of credit, "that general Goring "was much discontented; and expressed a great "sense of disrespect, and unkindnesses that he "had received." And therefore it was wished by them, "that some means might be found out, to "settle a good understanding with him, whereby

"he might be encouraged to an alacrity in so important a season;" and he having appointed to be at Tiverton on such a day, the prince sent thither sir John Berkley, sir Hugh Pollard, and colonel Ashburnham, to confer with him, and to know what he desired; the prince having never denied to assist him, in any one particular he had ever proposed, or to grant him any thing he had expressed a desire of. Upon their meeting there, he carried himself very high; talked only of "general neglects put upon him by the prince's council; that he had been promised by the king to have the command of the west, but that they had hindered it; which affront he would have repaired, before he would do any service upon the enemy;" with many bitter invectives against particular persons; "whereof, he said, prince Rupert had told him that some thought him not a man fit to be trusted." They had indeed spoken freely to his highness to that purpose, upon his very frankly discoursing of him. In the end, they pressing him as friends to deal particularly with them, what would satisfy him; he told them, "if he might be presently made lieutenant general to the prince, and admitted of his council, and be promised to be sworn of the privy council, as soon as might be, and to be gentleman of the prince's bedchamber, he would then proceed roundly and cheerfully in the business; otherwise, the prince's council should do the work themselves for him." All this being so extravagant, it cannot be thought any answer could be given to it, especially it being said to them as friends, and not expressly sent to the prince.

When the prince first apprehended the advance of sir Thomas Fairfax to the west, he very earnestly recommended to the lord Goring the state of the garrisons about Bridgewater, especially the garrison of Lampport, which was of so great importance, that, being well supplied, it had secured Bridgewater, and all that part of the country. This garrison had been settled by the lord Hopton, upon his first coming down to Taunton, after Vandruske had raised the blockade that colonel Windham had laid to it; and sir Francis Mackworth (who, having been formerly major general to the marquis of Newcastle of all his forces, was now, that army being dissolved, returning to his command in the Low Countries by his majesty's leave) was engaged by him to take the command of it till, upon the prince's coming into those parts, a worthier command could be provided for him; and before the lord Goring's coming to Taunton, he had fortified it to a good degree. This garrison, from the first establishment, had been much maligned by colonel Windham, who desired not to have another governor so near him, who was to receive some of the fruit that he had before looked on as his own, though never assigned to him: and then, upon some differences between sir John Stawel and sir Francis Mackworth, it was more inveighed against: insomuch as at the first coming down of the prince to Bristol, most of the time was spent in complaints from sir John Stawel of this garrison, and of the forcing the county to work, and contribute to those fortifications. After the lord Goring's coming to Taunton, he had, as a compliment to Bridgewater, and to all the gentlemen, who were grown angry with my lord Hopton, upon their own fancies, besides the former unkindnesses he had to sir Francis Mackworth upon some disputes

they had had in the north, (where they were both general officers,) very much neglected and oppressed that garrison; not only by countenancing all complaints against it, but by taking away all the contribution assigned for the support of it, for the supplying his own army; and expressly inhibiting him by force to levy those rates, which the prince himself had assigned to him. Insomuch as when the club-men of the county assembled together in great numbers, and, having taken some officers and soldiers of that garrison prisoners, for requiring their just contributions in money or provisions, came up to the walls of Lampport, and discharged their muskets upon the works, and sir Francis Mackworth thereupon with his horse charged them, and killing one or two of them, forced the rest to run away, the lord Goring sent him a very strict reprehension for so doing, and positively commanded him "to do so no more; nor in any case to disturb or injure those people;" and so brought that garrison so low, that when it might have preserved that army, it had not two days' provisions in it; sir Francis Mackworth having been called to wait on the prince's person, as well by his own choice, (when he saw the carriage towards him, and believing that some prejudice to his person brought a disadvantage to the place,) as by prince Rupert's advice; who promised, when he left the prince at Barnstable, and visited Goring, and Bridgewater, "to settle that garrison of Lampport, and make colonel Windham governor of it."

Here I cannot but say somewhat of the club-men; who began then to rise in great numbers, in several parts of the country, about the time that the prince went from Bath to Bridgewater, in his journey to Barnstable; and that night his highness lay at Wells, which was the second of June, a petition was delivered to him, which had been agreed upon that day at Marshals Elme, where there had then assembled five or six thousand men, most in arms; and the petitioners were appointed to attend the next day at Bridgewater for an answer. It was evident, though the avowed ground for the rising was the intolerable oppression, rapine, and violence, exercised by the lord Goring's horse, that, in truth, they received encouragement from many gentlemen of the country; some of them thinking, it would be a good expedient to necessitate a reformation of the army; others believing it would be a profitable rising for the king, and would grow into the matter of the first association, one and all. And therefore some principal agents of sir John Stawel's were very active in those meetings; and he himself was very solicitous, that a very gracious answer might be returned to their petition; which was followed by some farmerly men, and others of the clergy, both which had good reputations of affection and integrity to the king's service. The prince expressed a great sense of the oppressions they suffered, by the disorder of the army, which he promised to do his best to reform; to which end he writ many earnest letters to the lord Goring. But his highness told them, "that this unwarrantable course of assembling together, and being their own judges, would prove very pernicious: for though many of them might mean well, yet some active ministers would mingle with them, on the behalf of the rebels, and having once brought them to a kind of neu-

"trality, and unconcernedness for the king, would, in a moment, be able, against all their good wishes, to apply them against him; and therefore straitly inhibited them to meet any more in that manner, except they first listed themselves in regiments, and chose gentlemen of the country to command them;" to whom his highness offered to grant commissions to that purpose.

This answer seemed to satisfy those who attended on the behalf of the petitioners, until they were persuaded by some gentlemen not to submit to it; and so they continued their meetings; many inferior officers of the army quitting their charges, and living amongst them, and improving their discontents. When the prince went to Barnstable, he gave general Goring advertisements "of the great danger that might arise out of the license that people took to themselves;" and therefore advised him, "on the one hand, to suppress and reform the crying disorders of the army by good discipline, and severity upon enormous transgressors; so on the other, seasonably to discountenance, and punish those assemblies of club-men; which would otherwise, in time, prove as dangerous to him, as any other strength of the rebels." But, whether it were to shew his greatness, and so, popularly to comply with what the prince had discountenanced, or whether in truth he believed he should be able to make use of them, and persuade them to become a part of his army, he did use all possible compliance with them, and would not suffer any force to be used against them. So that they grew to be so powerful, that as they kept provisions from the army, and the garrisons; so when he moved from Taunton, upon the coming down of sir Thomas Fairfax, they killed most of his soldiers; and did him more mischief, than all the power of the rebels.

When the prince came to Barnstable, he received the fatal news of the battle of Naseby, by the noise and triumphs which the rebels made in those parts for their victory, without any particular information, or account from Oxford, or any credible persons; which left some hope that it might not be true, at least not to that degree that disaffected people reported it to be. However, at the worst, it concerned him the more to be solicitous to put the west into such a posture, that it might be able to repair any loss the king had received; which he might have done, if the jealousies and animosities between particular persons could have been reconciled, and a union been made amongst all men who pretended to wish, and really did wish, prosperity to the king's affairs; which were disturbed, and even rendered desperate, by the intolerable pride and incorrigible faction of and between such persons. Notwithstanding the orders, which had been made by the commissioners of Devonshire, for distributing the contributions of that county, which have been mentioned before, and in which such a proportion was assigned for the maintenance of the forces before Plymouth, as in sir Richard Greenvil's own judgment was sufficient for them; he had still continued to levy the whole contribution, which he had done formerly, for six thousand foot, and twelve hundred horse; and said, "he could not submit to the other division and

"retrenchment; for that there was nothing as signed, or left for the payment of his men before Taunton." He was told by the commissioners, "that they were now a part of the army, and lived as their fellows did; that they had received no money from him since their going thither, but had had free quarter as the rest of the army; and that it would prove of ill consequence, and beget a mutiny, if they should receive a weekly pay, when none of the rest did, nor any army the king had in England: that he could not but confess, by the state of the whole, that the dispensation was very reasonable; and that it could not be expected that the county would be contented to pay their contribution for the payment of foreign forces, when their own garrisons, that were kept for their defence, should be compelled, for want of pay, to disorders, or to disband. But that, if he thought any thing in those establishments unnecessary, or that he thought provision could be otherwise made for them, they would be contented that the overplus should be disposed as he desired." He answered none of their reasons; but positively said, "he would spare none of the contributions formerly assigned to him;" though the commissioners had the same authority now to take it away, as they had then to dispose it to him; and though it appeared to be assigned for the maintenance of so great a force, as was before spoken of, and upon his undertaking, under his hand, "to take the town before Christmas-day."

When this account was presented to the prince, he found it necessary, and resolved, to confirm what was proposed by the commissioners, without which those garrisons could not be supported; yet deferred the settling thereof, till he came to Barnstable, being resolved speedily to go thither; and, before his coming thither, had sent to the commissioners both of Devon and Cornwall to attend him; which they did within a day or two after he came thither, together with sir John Berkley and sir Richard Greenvil. When we were at Barnstable, one day, the bishop of Salisbury came to us at council, and informed us that there was a young fellow who assumed too much license about the prince, one Wheeler, who, though he had no relation of service to king or prince, intruded himself with great boldness about his highness; that he was very debauched, and of so filthy a behaviour, that it was not to be spoken of; and that sir Hugh Windham had complained of some beastliness of his that was not to be named. Whereupon, after a long debate in the presence of his highness, it was unanimously resolved, that he should be forbid to come any more to court, or to reside in any place where the prince should be; for which purpose he was sent for, and commanded accordingly to depart the town that time. The same night, about ten of the clock, sir Hugh Windham came to me to the governor's, and told me the prince had sent him to me, to give directions that Wheeler should be committed. I told him I thought he was gone out of the town; he replied, No, he saw him but now, and that, as he came up the street, Wheeler came to him, and threatened him to be revenged on him; and told him that he had spoken ill

of the king, and that he had said, he would join with the prince against the king, and that he would cut the king's throat: which, he said, was an imputation of such a nature, that he desired he might be examined. I told him, I had never heard any such thing; but I would speak with the governor to send a guard to keep him that night, and that I would wait upon the prince the next morning for his commands. The next morning I went to court, the prince being then riding: he called to me, and commanded me that the business of Wheeler should be thoroughly examined. Thereupon, as soon as the council met, I acquainted their lordships with what had passed; who gave directions for Wheeler to be sent for; and we sent for the bishop of Salisbury to be present at the examination. When the young man came, we asked him what he had to accuse sir H. Windham of; and wished him to consider well what he spake, because his words could have little credit, since it was evident he spake out of revenge. He said, that about a month before, (and named the day,) he and sir H. Windham being together at such a place, sir H. Windham complained of the king, and said he served the prince, and that, if the prince would take up arms to-morrow against the king, he would follow him. We asked him who heard it. He said, Mr. Rogers and Mr. Marsh; who being both sent for, and examined severally, seemed prepared beforehand on the behalf of Windham; Marsh saying, that he remembered nothing, nor took notice of what was said; the other confessing that sir H. Windham asked him, if the prince should take up arms against the king, what part he would take; but remembered no such expressions of Windham's as Wheeler accused him of. Upon the whole matter, my lords unanimously (except my lord Berkshire) advised the prince, in a business of so tender a nature, that he would not be too strict, and that, seeing sir H. Windham stood accused of so ill a carriage, and (though denied by him) that it appeared he had used very uncomely language and question by the confession of Rogers, that the former sentence upon Wheeler should be executed; and that sir H. Windham should likewise forbear coming near the prince, till the king should be acquainted with the whole business; and that Rogers and Marsh should for the present not come near the prince. This was thought a severe sentence against Windham, and drew very much malice from that family towards me; though truly, out of the knowledge that his mother had before used me ill, I proceeded in that business (lest I might be suspected of some passion) with the same candour as I would have done towards a brother.

The commissioners for Devon very earnestly pressed the settling the contributions in the manner before proposed, and the regulating the exorbitant power of sir Richard Greenvil, who raised what money he pleased, and committed what persons he pleased; and the commissioners from Cornwall presented a very sharp complaint against him, in the name of the whole county, for several exorbitances, and strange acts of tyranny exercised upon them: "that he had committed very many honest substantial men, and all the constables of the east part of the county, to Lydford prison in Devonshire, for no offence, but to

"compel them to ransom themselves for money; "and that his troopers had committed such outrages in the county, that they had been compelled, in open sessions, to declare against him; "and to authorize the county, in case that he "should send his troops in such manner, to rise, "and beat them out;" which declaration was produced, signed by all the commissioners, who were most eminently and zealously affected to his majesty; and was indeed no other than a denouncing war against Greenvil; and was excused by them "as an act of necessity to compose "the people, who would otherwise in the instant "have risen, and cut the throats of all his men." So that, whosoever would have made a judgment, upon what he heard from the commissioners of Devon and Cornwall at that time, must have concluded, that sir Richard Greenvil was the most justly odious to both counties, that can be imagined. And no doubt the man had behaved himself with great pride and tyranny over them; though the discipline he exercised over his men at Plymouth, in keeping them from committing any disorder, or offering the least prejudice to any man, (which, considering the vast assignment of money he had, and the small numbers of men, was no hard matter to do,) had raised him much credit among the country people, who had lived long under the license of prince Maurice; and the fame of it had extended his reputation to a greater distance.

There hath been too much said already, to discover the nature and the temper of the man, if the current of this discourse did not make it absolutely necessary to mention many particulars, with which the prince was troubled almost in all places, and which exceedingly disordered the whole business of Devon and Cornwall; and, indeed, thereby the whole west. There was one particular that made a great noise in the country: shortly after he was deputed to that charge before Plymouth, upon the hurt of Mr. Digby, one Brabant, an attorney at law, (who had heretofore solicited the great suit against sir Richard in the star-chamber, on the behalf of his wife and the earl of Suffolk, living in those parts, and having always very honestly behaved himself towards the king's service,) knowing, it seems, the nature of the gentleman, resolved not to venture himself within the precincts where he commanded; and therefore intended to go to some more secure quarter; but was taken in his journey, having a mountero on his head, (sir Richard Greenvil having laid wait to apprehend him, and he accordingly concealing himself,) and being now brought before sir Richard, was immediately, by his own direction, without any council of war, because he said he was disguised, hanged as a spy: which seemed so strange and incredible, that one of the council asked him, "whether it was "true?" And he answered very unconcernedly, "Yes, he had hanged him, for he was a traitor, "and against the king; and that he had taken "a brother of his, whom he might have hanged "too, but he had suffered him to be exchanged." He said, "he knew the country talked, that "he hanged him for revenge, because he had "solicited a cause against him; but that was "not the cause; though having played the "knave with him," he said smiling, "he was well "content to find a just occasion to punish him."

The prince was very unwilling to enter so far and so particularly upon the passionate complaint of either county, as thereby to be compelled to censure or to discountenance sir Richard Greenvil; who, he thought, might be applied very usefully to the public service. And therefore he resolved, according to the former design, to commit the business of Plymouth to sir John Berkley; who might, without any reproach to the other, discharge such from imprisonment as had lain long enough there, though faulty, and who made no other pretence to the contribution, than according to the assignments made by the commissioners; and to dispose sir Richard Greenvil to the field, according to his own proposition; for which there was now the more seasonable opportunity, the lord Goring having then written to the prince, "to desire him, that, in regard very many of sir Richard Greenvil's soldiers before Taunton were run away, inasmuch that of the two thousand two hundred brought thither by him, there were not six hundred left, and that there could be no such expedient to bring them back, or to encourage the new levies, as by his presence in that army, that he would send sir Richard Greenvil thither; where he should command as field marshal:" to which purpose he had likewise written to sir Richard Greenvil, persuading him, "that he should fix a quarter towards Lyme, and have the whole managing of that province:" and so a very good correspondence was begun between them. And thereupon, his commission of field marshal of the associated army was delivered to him, with direction, "in the mean time to abide with the lord Goring;" who deputed him to command in the same place. It is true that he then desired, "to continue the command before Plymouth in *commendam*, and to execute the same by his major general; but he was told, that it was otherwise settled by his own proposition and advice, and therefore that it could not be altered:" and indeed would have prevented the satisfaction, which was to be given to the two counties. Then he insisted very much upon some assignment of contribution for the army; for, he said, "he neither would nor could command men who were not paid." But after some sharp invectives against the excess and laziness of governors, and the needless contribution assigned to garrisons, finding that the subsistence for the army must be provided out of Somerset and Dorset, he took his leave of the prince; and, with his commission of field marshal, went to the lord Goring before Taunton; sir John Berkley being at the same time despatched to Plymouth.

About the beginning of July sir Thomas Fairfax entered into Somersetshire; so that general Goring found it convenient to draw off from Taunton, and seemed to advance towards him, as if he intended to fight; fixing his quarters between the rivers about Lamport, very advantageously for defence, having a body of horse and foot very little inferior to the enemy, although by great negligence he had suffered his foot to ftnoulder away before Taunton, for want of provisions, and countenance; when the horse enjoyed plenty, even to excess and riot. He had been there very few days, when the enemy, at

noonday, fell into his quarters, upon a party of horse of above a thousand, commanded by lieutenant general Porter; who were so surprised, that though they were in a bottom, and could not but discern the enemy coming down the hill, half a mile at the least, yet the enemy was upon them before the men could get upon their horses, they being then feeding in a meadow; so that this body was entirely routed, and very many taken; and, the next day, notwithstanding all the advantages of passes, and places of advantage, another party of the enemy's horse and dragoons fell upon the whole army; routed it; took two pieces of cannon; and pursued Goring's men through Lamport, (a place, which if it had not been with great industry discountenanced and oppressed, as is said before, might well have secured his, and resisted their army,) and drove them to the walls of Bridgewater; whither the lord Goring in great disorder retired; and spending that night there, and leaving with them the cannon, ammunition, and carriages, and such soldiers as were desired, in equal disorder, the next day, he retired into Devonshire; the club-men and country people infesting his march, and knocking all stragglers, or wearied soldiers, on the head. Upon that rout, which was no less than a defeat of the whole army, the lord Goring retired to Barnstable: from whence (the prince being gone some days before to Launceston in Cornwall) he writ to the lord Digby, "that there was so great a terror and distraction among his men, that he was confident, at that present, they could not be brought to fight against half their number." In the letter he writ, "that he had then" (being within three days after their rout, when very many stragglers were not come up) "between three and four thousand foot," (prince Rupert's regiment being left in Bridgewater, consisting of above five hundred men, and two hundred in Burrow, and five and twenty hundred horse, besides sir Lewis Dives's regiment, and all the western horse,) so that, by this account, considering that there were not less than one thousand men killed, and taken prisoners, in those two unlucky days, and that very many were run to Bristol, and others not come to him, it appears, that, when he rose from Taunton, he had a strength little inferior to the enemy.

Sir Thomas Fairfax then no more considered this running away, but left them to refresh, and recover themselves without the least pursuit; whilst he himself intended the recovery of Bridgewater; which was exceedingly wondered at; though it was quickly discerned, he had good reason to stop there. In the mean time general Goring spent his time at Barnstable, and those parts adjacent; his army quartering at Torrington, and over the whole north of Devon, and his horse committing such intolerable insolences and disorders, as alienated the hearts of those who were best affected to the king's service. Instead of endeavouring to recruit his army, or to put himself in a readiness and posture to receive the enemy, he suffered all, who had a mind, to depart; inasmuch, as he writ to the lord Colepepper, on the 27th of July, "that he had not above thirtcen hundred foot left." When he was at Barn-



stable, he gave himself his usual license of drinking; and then, inveighing against the prince's council, said, "he would justify that they had 'been the cause of the loss of the west';" inveighing likewise in an unpardonable dialect against the person of the king, and discoursing much of the revenge he would take upon those who had affronted him: and in this manner he entertained himself to the end of July, writing letters of discontent to the prince, and the lords; one day complaining for want of money, and desiring the prince to supply that want, when he well knew he wanted supply for his own table; and never received penny of the public collections or contributions: another day, desiring, "that all straggling soldiers might 'be sent out of Cornwall, and drawn from the 'garrisons, that he might advance upon the 'enemy';" and the next day proposing, "that all 'the foot might be put into garrisons, for that 'they could not be fit for the field;" so that before an answer could be sent to his last letter, another commonly arrived of a different temper.

Sir Richard Greenvil grew again no less troublesome and inconvenient than the lord Goring. He had left the prince at Barnstable, well pleased with his commission of field marshal, and more that he should command alone the blocking up of Lyme; which, he resolved, should bring him in plenty of money; and in order to that, it was agreed, that on such a day appointed, "so many men from the 'garrisons of Dartmouth, Exeter, and Barnstable, 'should be drawn to Tiverton; where they should 'receive orders from sir Richard Greenvil, and 'join with such as he should bring from the lord 'Goring, for making a quarter towards Lyme;" and orders issued from his highness accordingly. Those from Exeter, according to order, appeared at the time; and those from Barnstable and Dartmouth marched a day's journey and more towards Tiverton; but then, hearing that the lord Goring was risen from Taunton, which was true, though he returned thither the next day, made a halt; and sent back to the prince for orders; who conceived that, upon the rising of the lord Goring, the design of fixing a quarter upon Lyme would be disappointed, and that it would be necessary to strengthen Barnstable, where his own person was; [and] recalled those men back thither; having despatched letters to sir Richard Greenvil, to acquaint him with the accidents that had diverted those from Dartmouth and Barnstable; but letting him know, "that, if the design held, those of 'Barnstable should meet, where and when he 'would appoint."

Sir Richard Greenvil took an occasion, from the soldiers failing to meet, at the day appointed, at Tiverton, (though if they had met, there could have been no progress in the former design,) to exclaim against the prince's council; and, the next day, in a cover directed to Mr. Fanshaw, who was secretary of the council, without any letter, returned the commission of field marshal, formerly given him by the prince; and within two or three days after, on the fifth of July, he sent a very insolent letter to the lords of the council, complaining of "many 'undeserved abuses offered to him;" implying, "that the same were fastened on him by them, on 'the behalf of sir John Berkley;" told them, "that when they moved him to give over the 'command of Plymouth to sir John Berkley, they 'had promised him the principal command of the

"army under the prince:" whereas the truth is before set down, that the proposition was made by himself, both of quitting that charge, and of sir John Berkley's taking it, as the only fit person. He said, "he had hitherto served the king upon 'his own charge, and upon his own estate, without 'any allowance; and that, when he went from 'Barnstable, he was promised a protection for his 'house and estate; but when, after he was gone, 'his servant brought a protection ready drawn, all 'the clauses that comprehended anything of favour 'were left out; and such a protection sent to him 'as he cared not for." He concluded, "that he 'would serve as a volunteer, till he might have 'opportunity to acquaint his majesty with his 'sufferings." Here it will be necessary, upon the mention of this protection, (which he took so ill to be denied,) and the mention of serving the king, without allowance, upon his own estate, which he very often and very insolently objected both in his letters, and in his discourse to the prince himself, to say somewhat of his estate, and what small allowance he had from the king for his service.

When he came first into that country, he had no command at all; armed only with a commission to raise a regiment of horse, and a regiment of foot; of which he never raised horse or man, till long after, that he came to the command of Plymouth. Estate he had none, either there, or, that I have heard, any where else. It is true, his wife had an estate, of about five hundred pounds a year, about Tavistock and other parts of Devon; but it is as true, that it was conveyed before marriage, as hath been said, in such a manner, to frierds in trust, that upon long suits in chancery, and in other courts, in the time of peace, there were several judgments and decrees in chancery against him. So that he had never, since the difference with his wife, which was many years before, received the least benefit or advantage from it. The first thing the king granted to him was the sequestration of all his wife's estate to his own use, (she living then in the rebels' quarters,) upon which title he settled himself in her house near Tavistock; and, by virtue of that grant, took all the stock upon the ground; and compelled the tenants to pay to him all the arrears of rent, or as much as he said was in arrear; which amounted to a very considerable value. When colonel Digby received his unfortunate hurt, which rendered him for that time incapable to exercise his command, sir John Berkley very earnestly, and he only, moved prince Maurice, to confer that charge upon sir Richard Greenvil; and, though it was within a county of which he himself had the principal charge as colonel general, procured a full commission for the other to command those forces in chief; and delivered, or sent the same to him; having, from the time of his first coming down, used him with marvellous kindness. He had not then commanded long, when the earl of Essex came into those parts; whereupon he was compelled to rise; and after joined with the king.

When the earl of Essex's forces were dissolved, he was again designed for that service; and before the king left the country, he granted him the sequestration of all the estate of the earl of Bedford in Devonshire, all the estate of sir Francis Drake (by which he had Buckland Monachorum, which was his quarter whilst he blocked up Plymouth; and Worrington by Launceston) in Devon, and the

lord Roberts's estate in Cornwall; all which, and his wife's estate, he enjoyed by the sequestration granted from his majesty, and of which he made a greater revenue than ever the owners did in time of peace. For, besides that he suffered no part of these estates to pay contribution, (whereby the tenants very willingly paid their full rents,) he kept very much ground, about all the houses, in his own hands; which he stocked with such cattle as he took from delinquents; for though he suffered not his soldiers to plunder, yet he was, in truth, himself the greatest plunderer of this war; for whenever any person had disobeyed, or neglected any of his warrants, or when any man failed to appear at the *posse*, (which he summoned very frequently after he was sheriff of Devon, and for no other end but the penalty of defaulters,) he sent presently a party of horse to apprehend their persons, and to drive their grounds. If the persons were taken, they were very well content to remit their stock to redeem their persons. For the better disposing them whereto, he would now and then hang a constable, or some other poor fellow, for those faults of which a hundred were as guilty: and if, out of the terror of this kind of his justice, men hid themselves from being apprehended, they durst not send to require their stock; which was from thence quietly enjoyed: so that he had a greater stock of cattle, of all sorts, upon his grounds, than any person whatsoever in the west of England. Besides this, the ordering of delinquents' estates in those parts being before that time not well looked to, by virtue of these sequestrations, he seized upon all the stock upon the grounds, upon all the furniture in the several houses, and compelled the tenants to pay to him all the rents due from the beginning of the rebellion. By these, and such like means, he had not only a vast stock, but received great sums of money, and had as great store of good householdstuff, as would furnish well those houses he looked upon as his own. And this was his own estate, upon which, he said, he had maintained himself, without any allowance from the king; which, I am confident, besides what he got by his contributions, which would always pay double the men he had, and were strictly levied, and by his other arts, and extortions of several kinds, was more and more worth in money to him, than his majesty bestowed upon all his general commanders of armies, and upon all his officers of state, since the beginning of the rebellion to that time. This computation would seem too enviously made, if I should proceed here to take any view of the services he ever did; and therefore (though they that are very good witnesses say, that notwithstanding all the bold promises of taking Plymouth within few days, "his farthest guards were never nearer the town, than the lord Hopton's head quarter was the first day that he came thither,") I shall leave that to other men to make the estimate.

Now when sir Richard Greenvil desired at Barnstable a protection for his houses and estates, it was conceived, that he apprehended there might, under pretence of claim, some attempt be made upon his stock by the owners; or that he feared, that there might be too strict an inquiry, by him that succeeded, for such things as, being designed for the public service, had been applied to his particular private use; as having, with great importunity, (as a thing upon which the service depended,) gotten from the commissioners of Devon above a thou-

sand deal-boards, to make huts for the soldiers, he employed them all in the building a great riding-house at Buckland, for his own pleasure. However, so severe and terrible a person might easily be thought liable to many trespasses, when he should be removed from the place where he governed so absolutely. The protection was no sooner asked by him, than promised by the prince; but, after his departure, his servant bringing such a protection drawn, as exempted all those estates, which the king had granted to him in sequestration, from the payment of any contributions, (the which had been already so scandalous, that most of the principal persons of Cornwall had by that example, and with indignation at it, forborne to pay their rates; and he was told the ill consequence of it; and, "that no person there in council, whereof some had had very much greater commands in armies than he, and though others thought their services deserved any reasonable privilege, had been ever freed from contribution,") and thereupon those clauses were struck out, and the protection, in a fuller manner than ordinary, signed by the prince; and sir John Berkley, then present, declared, (of which his servant was advertised, though it was not fit, for the example, to put it in writing,) "that he would not require any contribution for that estate which was his wife's, and "enjoyed by him though by virtue of the sequestration;" and the denying of this protection was his great grievance. And yet (but that was an act of his own sovereignty) he did not only never pay a penny contribution before, or after, for all these estates, but refused to pay the fee-farm rent, due to the king out of the earl of Bedford's estate, being two hundred marks *per annum*, though the auditor was sent to him to demand it.

After this angry letter to the lords, and the throwing up his commission without a letter, and so having no commission at all to meddle in martial affairs, he fixed a quarter, with his own horse and foot, at St. Mary Ottree, within [nine or ten] miles of Exeter; where he governed as imperiously as ever; raised what money he would, and imprisoned what persons he would. In the end, sir John Berkley, having appointed the constables of those hundreds which were assigned for Plymouth, to bring in their accounts of what money they had paid to sir Richard Greenvil, (which, he protested, he did only that thereby he might state the arrears, without the least thought of reproach to the other,) he caused a warrant to be read in all churches in the county, (that is, ordered it to be read in all, and in some it was read,) "that all persons should "bring him an account of what monies or goods "had been plundered from them by sir John Berkley, or any under him;" with several clauses very derogatory to his reputation. This, as it could not otherwise, begat great resentments; inasmuch as the commissioners of Devon sent an express to the prince, who was then in Cornwall, beseeching him "to call sir Richard Greenvil from thence, and to "take some order for the suppressing the furious "inclinations of both sides, or else they apprehended, the enemy would quickly take an advantage of those dissensions, and invade the country "before they otherwise intended;" and, in their letter, sent one of the warrants that sir Richard had caused to be read in the churches; which indeed was the strangest I ever saw.

Hereupon, the prince sent for sir Richard Green-

vil to attend him ; who accordingly came to him at Liskard ; where his highness told him " the sense he had of his disrespect towards him, in the sending back his commission in that manner ; and of his carriage after ; " and asked him, " what authority he now had either to command men, or to publish such warrants ? " He answered, " that he was high sheriff of Devon, and by virtue of that office he might suppress any force, or inquire into any grievance his county suffered ; and, as far as in him lay, give them remedy. " He was told, " as sheriff he had no power to raise or head men, otherwise than by the *posse comitatus* ; which he could not upon his own head raise, without warrant from the justices of peace : that, in these martial times, he was to receive orders, upon occasions, from the commander in chief of the king's forces ; who had authority to command him by his commission. " He was asked, " What he himself would have done, if, when he commanded before Plymouth, the high sheriff of Cornwall should have caused such a warrant concerning him to be read in churches ? " He answered little to the questions, but sullenly extolled his services, and enlarged his sufferings. Afterwards, being reprehended with more sharpness than ever before, and being told, " that, whatever discourses he made of spending his estate, it was well understood, that he had no estate by any other title than the mere bounty of the king ; that he had been courted by the prince more than he had reason to expect ; and that he had not made those returns on his part which became him ; in short, if he had inclination to serve his highness, he should do it in that manner he should be directed ; if not, he should not, under the title of being sheriff, satisfy his own pride and passion : " (upon which reprehension being much gentler, than upon all the gracious addresses which had been made to him,) he answered, " he would serve the prince in such manner as he should command ; " and thereupon he was discharged, and returned to his house to Worrington, one of those places he had by sequestration, (it belonged to sir Francis Drake,) where he lived privately, for the space of a fortnight, or thereabouts, without interposing in the public business. Let us now see how this tragedy was acted in other places.

We left the king at Hereford, not resolved what course to steer : prince Rupert gone to Bristol, from whence he made a short visit to the prince at Barnstable, to give him an account of the ill posture he had left the king in, and from thence went to his friend Goring to consult with him : and it was exceedingly wondered at, that when he saw in what condition he was, (for he was then before Taunton,) and the number of his horse and foot, (which every body then thought had been his business to be informed of,) he did not then hasten advice to the king, for his speedy repair thither ; but his chief care was to secure Bristol ; which, sure, at that time he made not the least question of doing ; and believed the winter would come seasonably for future counsels.

The king quickly left Hereford, and went to meet the commissioners for South Wales at Abergavenny, the chief town in Monmouthshire. And as they were for the most part persons of the best quality, and the largest fortunes of those counties, so they had manifested great loyalty and affection, from

the beginning of the war, by sending many good regiments to the army, and with their sons, and brothers, and nearest kindred ; many of whom had lost their lives bravely in the field : and they now made as large and ample professions as ever, and seemed to believe, that they should be able, in a very short time, to raise a good army of foot, with which the king might again look upon the enemy ; and accordingly agreed what numbers should be levied upon each of the counties. And so from thence his majesty went to Ragland-castle, the magnificent house of the marquis of Worcester ; and which was well fortified, and garrisoned by him ; who remained then in it. And there he resolved to stay, till he should see the effect of the commissioners' mighty promises. But he found in a short time, that, either by the continued successes of the parliament armies in all places, the particular information whereof was every day brought to them, by intelligence from their friends, or the triumphs of their enemies in Monmouth and Gloucester, or by the renewed smart, which the presence of their governor, general Gerrard, gave them, (who had been, and continued to be, a passionate and unskillful cultivator of the affections of the people ; as having governed them with extraordinary rigour, and with as little courtesy and civility towards the gentry, as towards the common people,) there was little probability of raising an army in those parts : where all men grew less affected, or more frightened, which produced one and the same effect. The king stayed at Ragland, till the news came, " that Fairfax, " after he had taken Leicester, " (which could not hold out longer than to make honourable conditions,) " was marched into the west, and had " defeated Goring's troops at Lampert ; and at the " same time, that the Scottish army was upon its " march towards Worcester, having taken a little " garrison that lay between Hereford and Worcester by storm ; and put all within it to the sword. " And prince Rupert sent for all those foot which were levied towards a new army, and part of those which belonged to general Gerrard, to supply the garrison of Bristol : so that his majesty seemed now to have nothing in his choice, but to transport himself over the Severn to Bristol, and thence to have repaired to his army in the west ; which would have been much better done before, yet had been well done then ; and the king resolved to do so ; and that the horse under Gerrard and Langdale should find a transportation over Severn, (which was very easy to be done,) and so would as easily find the way to him, wherever he should be.

And this was so fully resolved, that his majesty went to the water-side near Chepstow ; where vessels were ready to transport him, and where prince Rupert from Bristol met him, very well pleased with the resolution he had taken, though he had not been privy to the counsel. And here again the unhappy discord in the court raised new obstructions ; they who did not love prince Rupert, nor were loved by him, could not endure to think that the king should be so wholly within his power ; and he himself was far from being importunate that [his majesty] should prosecute his purpose, which he had not advised, though he liked it well enough ; and so would not be answerable for any success. His majesty himself being too irresolute, the counsel was again changed, and the king marched to Cardiff ; where he had been very little time, when

he was informed, that Bridgewater was lost: and then they, who had dissuaded the king's embarkation for Bristol, were much exalted, and thought themselves good counsellors; though, in truth, the former resolution had been even then much better pursued; for nothing could have hindered his majesty from going to Exeter, and joining all his forces; which would have put him in a posture much better than he was ever afterwards. Indeed the taking Bridgewater, which the king had been persuaded to believe a place impregnable, could not but make great impressions upon him, to think that he was betrayed, and consequently not to know whom to trust. It was in truth matter of amazement to all men, nor was it any excuse, that it was not of strength enough against so strong an army; for it was so strongly situated, and it might well have had all those additions which were necessary, by fortifications, that it was inexcusable in a governor, (who had enjoyed that charge above three years, with all allowances he had himself desired, and had often assured the king, "that it was not to be taken,") that it was not able to resist any strength that could come before it for one week; and within less than that time, it was surrendered, and put into Fairfax's hands.

That this prodigious success should break the spirits of most men, and even cast them into despair, is not at all to be wondered at; but that it should raise the hopes of any that it would produce a peace, is very strange; yet this imagination did so much harm, that men generally neglected to make that preparation against a powerful and insulting enemy, that was in their power to have made, out of confidence that the offer of a treaty would now prevail, and produce a peace; and every man abounded so much in his own sense, that they were not capable of any reason that contradicted it. The commissioners of all counties, which were the best gentlemen, and of best affections, upon whom the king depended to apply the common people to his service, were so fully of this opinion, that they made cabals with the principal officers of the army, to concur with them in this judgment, and to contrive some way how it might be brought to pass; and too many of them were weary of doing their duty, or so much ashamed of not having done it, that they professed themselves to desire it, at least as much as the rest. And this temper spread itself so universally, that it reached to prince Rupert himself; who writ his advice to that purpose to the duke of Richmond, to be presented to the king; who took that occasion to write the ensuing letter to the prince, with his own hand; which was so lively an expression of his own soul, that no pen else could have written it, and deserves to be transmitted to posterity, as a part of the portraiture of that incomparable king, which hath been disguised by false or erroneous copies from the true original; which was in these words.

*From Cardiff in the beginning of the month of Aug.*  
1645.

"Nephew,

"This is occasioned by a letter of your's, that the duke of Richmond shewed me yesternight. And first, I assure you, I have been, and ever will be, very careful to advertise you of my resolutions, as soon as they are taken; and if I enjoined silence to that which was no secret, it was not my fault; for I thought it one, and I am

"sure it ought to have been so now. As for the opinion of my business, and your counsel thereupon, if I had any other quarrel but the defence of my religion, crown, and friends, you had full reason for your advice. For I confess, that speaking either as to mere soldier or statesman, I must say, there is no probability but of my ruin; but as to Christian, I must tell you, that God will not suffer rebels to prosper, or his cause to be overthrown: and whatsoever personal punishment it shall please him to inflict upon me, must not make me repine, much less to give over this quarrel; which, by the grace of God, I am resolved against, whatsoever it cost me; for I know my obligations to be both in conscience and honour, neither to abandon God's cause, injure my successors, nor forsake my friends. Indeed I cannot flatter myself with expectation of good success, more than this, to end my days with honour, and a good conscience; which obliges me to continue my endeavour, as not despairing that God may in due time avenge his own cause. Though I must avow to all my friends, that he that will stay with me at this time, must expect, and resolve, either to die for a good cause, or, which is worse, to live as miserable in the maintaining it, as the violence of insulting rebels can make him. Having thus truly and impartially stated my case unto you, and plainly told you my positive resolutions, which, by the grace of God, I will not alter, they being neither lightly nor suddenly grounded, I earnestly desire you not in any ways to hearken after treaties; assuring you, as low as I am, I will not go less than what was offered in my name at Uxbridge; confessing that it were as great a miracle that they should agree to so much reason, as that I should be, within a month, in the same condition that I was immediately before the battle of Naseby. Therefore, for God's sake, let us not flatter ourselves with these conceits; and, believe me, the very imagination that you are desirous of a treaty, will lose me so much the sooner. Wherefore, as you love me, whatsoever you have already done, apply your discourse according to my resolutions and judgment. As for the Irish, I assure you they shall not cheat me; but it is possible they may cozen themselves: for be assured, what I have refused to the English, I will not grant to the Irish rebels, never trusting to that kind to people (of what nature soever) more than I see by their actions; and I am sending to Ormond such a despatch, as I am sure will please you, and all honest men; a copy whereof, by the next opportunity, you shall have. Lastly, be confident I would not have put you, nor myself, to the trouble of this letter, had I not a great estimation of you, and a full confidence of your friendship to

"Your &c."

When the king came to Cardiff, he was entertained with the news, "that the Scottish army was set down before Hereford, and that, if it were not relieved within a month, it must fall into their hands." To provide for this, there could be no better way found out, than to direct the sheriffs of those Welsh counties to summon their *posse comitatus*, whereby the king was persuaded to hope, that there would be men enough to wait upon him

in that expedition; who, with the horse he had, would have been equal to any attempt they could make upon the Scots. But it was quickly discovered, that this expedient had raised an unruly spirit, that could not easily be suppressed again; for the discontented gentlemen of those counties, now they had gotten the people legally together, put them in mind of "the injuries they had received from general Gerrard, and the intolerable exactions they lay under, which would undoubtedly be increased, if he continued in that government." So that, instead of providing men to march with the king, they provided a long list of grievances; from all which they desired to be relieved before they would apply themselves towards the relief of Hereford. All this was so sturdily urged, that a body of no less than four thousand men, of those who were thus called together, continued together many days, and would not be separated, till the king was even compelled to give them satisfaction in the particular they most insisted upon; which was the removal of general Gerrard from having any command over them; and that charge was presently conferred upon the lord Astley, the major general of the army; who was most acceptable to them; and they afterwards conformed themselves as much to his directions, as from the distraction of the time, and the continual ill successes, could be expected by him.

But it was the hard fate of the king, that he could not provide what was fit for his own service, except he provided likewise for the satisfaction of other men's humours and appetites. Gerrard had now, upon the matter, the command of all the forces the king had to trust to [in those parts]; and he was of too impetuous a nature, to submit to any thing for conscience, or discretion, or duty; so that the king was compelled to satisfy his ambition for this present degradation, by making him a baron; and, which was an odd and a very fantastical circumstance that attended it, for no other reason, than because there was once an eminent person, called Charles Brandon, who was afterwards made a duke, he would be created baron of Brandon, that there might be another Charles Brandon, who had no less aspiring thoughts than the other; when he had no pretence to the lands of Brandon; which belonged to, and were, at that time, in the possession of a gallant and worthy gentleman, sir Thomas Glemham; who at the same time (very unluckily) came to the king at Cardiff, with about two hundred foot, which he had brought with him out of the garrison of Carlisle; which place he had defended for the space of eleven months against David Lesley, and till all the horses of the garrison were eaten, and then had rendered, upon as honourable conditions, as had been given upon any surrender; David Lesley himself conveyed him to Hereford; where he joined with the other part of that army, and from thence sir Thomas Glemham (who was by his conditions to march to the king wherever he was) came to his majesty at Cardiff, at the time when the title of his own land, which he inherited as heir to the family of Brandon, was conferred upon a gentleman (how well extracted soever) of less quality and fortune, and, as many thought, merit. And this unseasonable preferment more irritated the country, from which the king then expected assistance, that when they believed they had accused him of crimes which

deserved the highest censure, the saw him pretend to, and rewarded in, an higher degree than he could ever probably have arrived to, but for that accusation. And so the king, after all his endeavours were rendered fruitless, entertained a new imagination, that he might get into Scotland to the marquis of Mountrose, who had done wonders there; and thereupon left Cardiff; and, over the mountains by Brecknock and Radnor, passed the Scottish quarters, and came to Ludlow, before that army had any notice of his march.

When the king came first to Ragland, he had sent an express to the prince, by which he wished "that the lord Colepepper, and the chancellor of the exchequer, might, as soon as was possible, attend his majesty." The danger of the way was such, and the passage so difficult, that the messenger came not quickly to his highness. But the chancellor being then unfit to travel by reason of the gout, the lord Colepepper made all possible haste out of Cornwall, where the prince then was, and found his majesty at Cardiff, when he was departing from thence; and waited on him to Brecknock; from whence he was again despatched with this letter to the prince; which, being the first direction the king gave of that nature, is necessary to be here inserted in so many words.

*Brecknock, 5th August, 1645.*

"Charles,  
"It is very fit for me now to prepare for the worst, in order to which I spoke with Colepepper this morning concerning you; judging it fit to give it you under my hand, that you may give the reader obedience to it. Wherefore know that my pleasure is, whensoever you find yourself in apparent danger of falling into the rebels' hands, that you convey yourself into France, and there to be under your mother's care; who is to have the absolute full power of your education in all things, except religion; and in that, not to meddle at all, but leave it entirely to the care of your tutor, the bishop of Salisbury, (or to whom he shall appoint to supply his place, in time of his necessitated absence.) And for the performance of this, I command you to require the assistance and obedience of all your council; and, by their advice, the service of every one whom you and they shall think fit to be employed in this business; which I expect should be performed, if need require, with all obedience, and without grumbling. This being all at this time, from

"Your loving father, *Charles R.*"

After the lord Goring had lain some time in the ill humour we left him at Barnstable, he entered into correspondence with sir Richard Greenville; who, he knew well, was as uninclined to the council about the prince as himself; and finding that the enemy troubled him not, but had given him rest, whilst the army was employed upon other important service, they two met privately; and, upon the encouragement and money he received from Greenville, he writ to the chancellor a very cheerful and a very long letter, bearing date the first of August, in which he inserted several propositions; which, he said, had been framed "upon conference with sir Richard Greenville; which he desired might be presented to the prince; and if they should be consented to, and confirmed by his high-

"ness, he said, he would engage his life, that he would in a very short time have an army of ten or twelve thousand men, that should march whithersoever they should be commanded; and should be in as good order, as any army in the world:" and concluded his letter with these words; "I see some light now of having a brave army very speedily of foot, and I am sending a copy of this enclosed letter to the king, with this profession, that I will be content to lose my life, and my honour, if we do not perform our parts, if these demands be granted."

This letter being presented to his highness, then at Launceston, found so gracious a reception, that the next day, being the second of August, the prince returned him an answer of full consent; and the same day signed all the particulars proposed by him; expressing a further resolution "to add whatever else should be proposed to him, and within his power to grant;" so that there was once more a hope of looking the enemy in the face, and having a fair day for the west. The next day, or thereabouts, sir Richard Greenvil himself attended the prince, in a seeming good humour; all the propositions were immediately confirmed; some of which were, "that sir Richard Greenvil should receive such a proportion of the contributions of Cornwall, and five thousand pounds of the arrears, for the payment of the officers of the army; and thereupon sir Richard would gather up all the stragglers, who were returned into Cornwall from their colours; who, he said, would amount to three thousand foot, and he would raise three thousand foot more in Devonshire." So he betook himself again to action, sending out his warrants, and levying men and money; having lent two hundred pounds to the lord Goring at their first meeting, and calling the posse of Devon to meet at several places, where himself was still present; by which, he pretended, he should speedily recruit the army. But before the end of August, that friendship grew colder; sir Richard observing a better correspondence between the lord Goring and sir John Berkley than he hoped would have been, and hearing that the lord Goring used to mention him very slightly, (which I believe was true,) he writ a very sharp letter to him, in which he said, "he would have no more to do with him." However he continued as active as before, being now in Devon, and then in Cornwall, where he commanded absolutely without any commission, and very seasonably suppressed an insurrection about St. Ives, which might else have grown to a head; and hanged two or three fellows, who, I believe, were guilty enough, by his own order, without any council of war; and raised what money he pleased upon others; then returned to his house at Worington. And all the vivacity that had so lately appeared in the lord Goring, upon the news of the loss of Sherborne, declined; and then there was nothing, but complaint of want of money, and a proposition to put the army into garrisons; and yet the enemy gave them the same leisure, to pursue the former design, Fairfax being then engaged with his army before Bristol.

As soon as the prince, who was then at Launceston, had read the letter, which the lord Colepepper brought to him from the king, he returned it to the lord Colepepper to keep, and to communicate to the lords Capel, Hopton, and the chan-

cellor of the exchequer; for it was a very great misfortune, that there was not so good correspondence with the earl of Berkshire (through some jealousies that were infused into him) as was desired; and from the prince's first coming into Cornwall, some of his servants of the best quality, who had from the beginning been discontented, and upon strange pretences thought themselves undervalued that they were not of the council, and, since the king's misfortune at Naseby, expressed their indispositions with more license, and whispered abroad, "that there was a purpose to carry the prince into France," not that they believed it, but thereby thought to render the council odious and suspected, and had wrought so far upon the earl of Berkshire, that he seemed to believe it too, and thereby they got so much interest in him, that he always communicated whatsoever passed in council to them; so that a letter of so great importance was not thought fit to be communicated to him, nor to the earl of Brentford, who (though he was very kind and just to the other four) was not without his jealousies, and was an ill treasurer of secrets. They were very much troubled at the sight of the letter, not at the command of leaving the kingdom, for, though they had never communicated their thoughts to each other upon that subject before, they found themselves unanimous in the resolution, "that rather than he should be taken by the rebels, they would carry him into any part of the Christian world." For the better doing whereof, from that minute, they took care that there was always a ship ready in the harbour of Falmouth. But it troubled them, "that the king's command was so positive for France, against which they could make to themselves many objections." Besides that, one of the prince's bedchamber, who was newly returned from Paris, brought a letter from the earl of Norwich, then the king's ambassador there, to one of the council; in which taking notice of a report there of the prince of Wales's coming thither, he passionately declared against it, "as a certain ruin to the prince;" of which the messenger, (col. Murray,) by his direction, gave many instances of moment. And they were the more troubled, because the lord Colepepper, who brought that letter from the king, averred, "that he had had no conference with the king upon the argument, but had wholly declined it, as a matter too great for him:" so that they had nothing before them but that letter. After two or three sad debates between themselves, they agreed upon "a letter to be prepared in cipher, presenting their reasons, and what they had been informed concerning France; and therefore offered it to his majesty, whether he would not leave the [choice of the] place to them, or nominate some other, against which so many exceptions might not be made; and proposed Ireland, (if the peace were made there,) or Scotland, if the marquis of Mountrose was as victorious as he was reported to be; withal assuring his majesty, that, in case of danger, they would run any hazard, or into any country, before the prince should fall into the hands of the rebels." This letter, after it was communicated with the prince, as the debates had been, was forthwith sent by an express.

Towards the end of August, the lord Goring, after he had, in all his secret discourses, and in the hours of his jollity, spoken very bitterly of the

council about the prince, as the authors of all the miscarriages, sent the lord Wentworth to Launceston to his highness, with certain demands, as he called them, on his behalf; but with direction, "that before he presented them to the prince, he should communicate them to the lord Colepepper, or to the chancellor, and be advised by them, in what manner to present them."

His demands were, and so he styled them, 1. To have a commission to be lieutenant general of all the west, and to command immediately under the prince, garrisons as well as the army, and to be sworn of the council as soon as might be. 2. That all commissions to officers of the army, when his highness is present, be given by the prince; but that his highness should sign none but such as he should prepare for him. 3. That in the prince's absence he should sign and grant all commissions; and that, if any governments of towns should fall vacant, he might have the absolute recommendation of those that are to succeed, or, at least, a negative voice. 4. That all designs of consequence should be debated, in the prince's presence, by the prince's council, and such officers of the army as he should choose to assist at it. 5. That the number of the prince's guards should be limited; and many other particulars, which seemed so unreasonable, and unfit to be publicly urged, that the lord Colepepper persuaded the lord Wentworth to suspend the presenting them; "the rather," (as he said,) "because the chancellor was then absent," (being sent by his highness to Pendennis-castle, under pretence of giving some direction in the matter of the customs, but, in truth, to take care that the frigate provided for the prince's transportation might be in readiness, and victuals be privately made ready, to be presently put on board, when the occasion should require,) "and likewise because his highness intended to be shortly at Exeter, where the lord Goring, being present, might better consider, and debate his own business;" to the which the lord Wentworth consented:

For the commissioners of Devon had besought his highness to interpose his authority, in the regulating and disposing the army to march towards the relief of Bristol; declaring, "as the posture of it then was, that both that county, and garrisons, must in a short time be as much undone, and lost by them, as by the invasion of the enemy; that all the foot subsisted by, and lived upon, the magazines of the garrisons; and the horse possessed the other part of the country to themselves; and would neither suffer provisions to be brought to the markets, for the replenishing their stores, nor any warrants to be executed for any payments; pretending they were to defend their own quarters; whilst themselves levied what monies they pleased, and committed all sorts of insolences and outrages." And by this means both before in Somersetshire, and afterwards in Devonshire, when the king's army was forced to retire, the enemy found great plenty of provisions in those quarters, where his forces were in danger of starving: as, all about Taunton, there were very great quantities of corn, when they caused all their bread to be brought out of the stores of Bridgewater and Exeter; which proceeded partly from the negligence and laziness of the officers and soldiers, who would not be at the trouble of threshing out the mows and ricks which

were there; but principally by the protection given by the horse; who would not suffer any thing to be carried out of their quarters; and such as sent their provisions to market, were sure to have their money taken from them in their return. Inasmuch as it was affirmed by the commissioners of Exeter, "that before the enemy had any quarter within ten miles, there was not so much provision brought into that city in a fortnight, as they spent in a day:" which was only by reason of the disorder of our own horse, general Goring being all this time in Exeter, breaking jests, and laughing at all people, who brought complaints to him; as, one day, when all the fishermen complained to him, "that as they came to the market, they were robbed by his troopers, who took all their fish from them," he said, "that they might by this see what great injury was done to his men, by those who accused them of so great swearing; for if they did swear, you know (said he) they could catch no fish."

Upon these reasons, and the very earnest desire of the lord Goring and the commissioners, the prince, on Friday the 29th of August, went from Launceston to Exeter in one day; leaving sir Richard Greenvil (who then seemed to be in good humour) to bring up the soldiers in Cornwall, and to hasten his levies in the north and west parts of Devon. The army having now lain still from the beginning of July to the end of August, without the least action, or alarm from the enemy, and so being sufficiently refreshed, and, as their officers said, awakened to a sense and a shame of their former amazements, it was unanimously agreed at a council of war, his highness being present, "that the foot should presently advance to Tiverton; and the horse to the east of Exeter; and that, as soon as sir Richard Greenvil could come up with his men, they should all advance to the relief of Bristol;" which was understood to be in a very good condition; the last messenger that came thence assuring the prince, as from prince Rupert, that he was sufficiently provided with all necessaries for six months.

There had been, from the time of the first going of the prince into Cornwall, several rumours dispersed, [as hath been said,] by those who were discontented or angry with the council, "that there was an intent to carry the prince into France;" which begot infinite prejudice to all that was advised. Of this discourse general Goring had made great use, to the disadvantage of all those whom he desired to discredit, which was indeed one of the motives of his highness's journey to Exeter, that he might discountenance that report; which wrought so far amongst the gentlemen of the several western counties, who were resorted thither for safety, that there was a resolution "to petition the prince to interpose between the king and the parliament; and to send a message to the latter with overtures of peace;" and, to that purpose, meetings had been amongst those gentlemen, to agree upon what articles the prince should propose a peace; every man declaring his opinion, what condescension should be in the matter of the church, of the militia, and of Ireland, upon consideration of what had passed at Uxbridge. When my lords of the council heard of these consultations, they apprehended great inconveniences might arise from thence to the king's service, and to the prince's honour; who, by being pressed by their



desires and importunities, would lose the honour and thanks of the good success that might attend it: besides that, if he should send any message upon their motion, they would quickly make themselves judges of the matter of it, and so counsellors of what was to be done upon it: and therefore they were all of opinion, "that all endeavours were to be used to divert and prevent any petition of such a nature from being presented to his highness;" which, with great difficulty, was at last prevented.

Shortly after the prince's coming to Exeter, the lord Goring being not then well, but engaged in a course of physic, desired that he might have a free conference with one of the council in private; in which, he professed he would discover his heart, and whatever had stuck with him. Whereupon, according to appointment, the person he had desired went to him one morning to his lodging; when he caused all persons to withdraw; and wished his servant not to suffer any man to disturb them. When they were by themselves, he began with the discourse of "unkindnesses he had apprehended from the council, and from that person in particular; but confessed he had been deceived and abused by wrong information: that he was now very sensible of the damage that had befallen the public by those private jealousies and mistakes; and desired, that if any thing had indiscreetly or passionately fallen from him, it might be forgotten; and that they might all proceed vigorously in what concerned the king's service; in which he could not receive a better encouragement, than by an assurance of that person's friendship." From this, he discoursed at large his apprehensions of his brother Porter, of his cowardice, and of his treachery, with very great freedom in many particular instances;" and concluded, "that he resolved to quit himself of him;" and after two hours spent in those discourses, and in somewhat that concerned his father, in which he said, "he was to receive this person's advice by his father's direction," (it being about the government of Pendennis,) as if he had said all he meant to say, he asked the other negligently, "what he thought of the demands he had sent by the lord Wentworth?" protesting, "he had no private thoughts, but only an eye to the public service; towards the doing whereof, as the exigents of affairs then stood, he did not think himself sufficiently qualified." The other told him, "that whatever he thought of them would not signify much, being but a single voice in council; by the concurrent advice whereof, he presumed, the prince would govern himself. However, if he would have him tell him his opinion as a friend, he would shew himself so ill a courtier, as to tell it him frankly; which, except he reformed him in his judgment, he should declare where it should be proposed, and, he believed, it would be the opinion of most of the lords, if it were not his." Thereupon he told him very freely and plainly, "that he thought it not fit for the prince to grant, nor seasonable for him to demand; his authority being the same, as to the public, all his orders being obeyed, and the prince giving him the same assistance, as if he were his lieutenant general: that the prince had not hitherto interposed his authority in the governing that army; and therefore, that he conceived it unseasonable, at

"that time, for his highness to interest himself in the command thereof; which he should do by making him lieutenant general; that the king having directed the prince to make the lord Hopton his lieutenant general, it would not become them to advise the prince to alter that designation, without receiving his majesty's command:" therefore he advised him, "since the alteration was no way necessary, and would inevitably beget much trouble, that he would defer the pressing it, till the king's affairs should be in a better posture." Satisfied he was not, yet he forbore to importune the prince to that purpose at this time.

About the middle of September, the prince being still at Exeter, the news came of the fatal loss of Bristol; which, as all ill accidents did, cast all men on their faces, and damped all the former vigour and activity for a march. However, the former resolutions continued of drawing to Tiverton, and at least of defending those passes, and keeping the enemy from invading Devon: for the better doing whereof, and enabling them to fight, if Fairfax should advance, the prince returned to Launceston; whither he summoned all the trained bands of Cornwall, and an appearance of the whole country; which appeared very cheerfully, and seemed well inclined to march to Tiverton. In the mean time the same negligence and disorder continued in the army, and the lord Goring, with the same license and unconcernedness, remained at Exeter, to the great scandal of the country, and disheartening of the army. About the latter end of September, his lordship writ a letter to the lord Colepepper; in which he remembered him of the propositions formerly sent by the lord Wentworth to Launceston; and recounted at large, but very unjustly, the discourse which had passed between the other counsellor and him, at Exeter, upon that subject; in which he charged the other with answers very far from those he had received from him; and desired his lordship, "that, by his means, he might know positively what he was to trust to;" and concluded, "that, without such a commission as he desired, he could not be answerable for the mutinies and disorders of the army." Whereupon, his highness, upon full consideration of the mischiefs that would attend his service, if he should consent to the matter of those demands, or comply with the manner of the demanding, sent him word by lord Capel, "that he would not for the present grant any such commission;" and wished him "to pursue the former counsels and resolutions, in advancing towards the enemy; all things being in a good forwardness in Cornwall to second him." And so there was no further pressing that overture; however, he presumed to write himself, in all his warrants, and treaties with the commissioners, and in some proclamations which he printed, "General of the west."

The sudden and unexpected loss of Bristol was a new earthquake in all the little quarters the king had left, and no less broke all the measures which had been taken, and the designs which had been contrived, than the loss of the battle of Naseby had done. The king had made haste from Ludlow, that the Scottish army might no more be able to interrupt him; and with very little rest passed through Shropshire and Derbyshire, till he came to Wellbeck, a house of the marquis of Newcastle in Nottinghamshire, where was then a garrison for his



majesty; where he refreshed himself, and his troops, two days; and, as far as any resolution was fixed in those days, the purpose was, "to march directly into Scotland, to join with the marquis of Mountrose;" who had, upon the matter, reduced that whole kingdom. During his majesty's short stay at Wellbeck, the governor of Newark, with the commissioners for Nottingham and Lincoln, repaired to him, as likewise all those gentlemen of Yorkshire who had been in Pontefract-castle, (which, after a long and worthy defence, was lately, for pure want of all kind of provisions, surrendered upon good conditions; whereby, "all the soldiers had liberty to repair to their own houses, and "might live quietly there.") whereupon the gentlemen assured the king, "they were as ready as ever to serve him, when they should be required." Whether the natural irresolution of those about the king, or the imagination, upon this report of the gentlemen, that a body of foot might be speedily gathered together in those parts, (which was enough encouraged by the cheerfulness of all the gentlemen of the several counties,) prevailed upon them, but the king was persuaded, "that it was not best to continue his march, with that strictness which he intended, towards Mountrose; but that it would be better to send an express to him, to agree upon a fit place for their meeting; and in the mean time, his majesty might be able to refresh his wearied troops, and to raise a body of foot in those parts." To which purpose, Doncaster was proposed as a fit place to begin in: and to Doncaster, thereupon, the king went; and the gentlemen so well performed their undertaking, that, within three days, there was an appearance of full three thousand foot; who undertook, within four and twenty hours, to appear well armed, and ready to march with his majesty, what way soever he would go.

Here again the king's froward fortune deprived him of this opportunity to put himself into a posture of war. That very night, they received intelligence, "that David Lesley was come to Rotheram with "all the Scottish horse;" which was within ten miles of Doncaster. The news whereof so confounded them, (as beaten and baffled troops do not naturally, in a short time, recover courage enough to endure the sight of an enemy,) that they concluded "he came in pursuit of the king, and therefore that it was now too late to pursue their northern expedition, and that the king must speedily remove to a greater distance for his own security." Whereupon, he made haste (without expecting that recruit of foot) from Doncaster, back again to Newark; resolving then to go directly to Oxford; whereas David Lesley knew nothing of the king's being in those parts; but, upon sudden orders from Scotland, was required to march, with all possible expedition, with the horse, to relieve his own country from being totally overrun and subdued by the marquis of Mountrose; who had then actually taken Edinburgh. The orders no sooner came to the army before Hereford, but he begun his march, without the least apprehension of any enemy in his way, till he should come into Scotland; and so, as he had made a very long march that day, he came tired and wearied with his troops that night into Rotheram. And he confessed afterwards, "if the king had then fallen upon him, as he might easily have done, he had found him in a very ill posture to have made resistance, and

"had absolutely preserved Mountrose." But by his so sudden retreat, David Lesley was at liberty to pursue his march for Scotland, and came upon Mountrose, before he expected such an enemy; and so prevented his future triumph, that he was compelled with great loss to retire again into the Highlands; and Lesley returned time enough to relieve and support the Scottish army, when they were compelled to rise from Hereford.

The king [now], with wonderful expedition, prosecuted his journey to Oxford, though not without making some starts out of the way; by which he had opportunity to beat up some quarters of new levied horse for the service of the parliament; and, before the end of August, he arrived at Oxford; where he did not stay more than two days, but departed from thence again to Worcester, with a resolution to attempt the relief of Hereford; which had defended itself bravely, and very much weakened the Scottish army by frequent sallies. They had only a body of eight hundred tired horse, which David Lesley left behind him when he marched with the rest into Scotland; and therefore the raising that siege was thought the less difficult; and with this resolution his majesty left Oxford the third day after he came thither. And upon his arrival at Ragland, he was certainly informed, "that Fairfax had besieged Bristol;" for which nobody underwent any trouble; for all men looked upon that place as well fortified, manned, and victualled; and the king even then received a very cheerful letter from prince Rupert; in which, "he undertook to defend it full four months." So that the siege being begun so late in the year as the beginning of September, there was reasonable hope that the army might be ruined, before the town taken. Therefore the king prosecuted his former resolution, at least to endeavour the relief of Hereford. And as he was upon his march thither, he received intelligence, "that the Scottish army, upon the notice of his purpose, was that morning risen in great disorder and confusion, and resolved to make their retreat on the Welsh side of the river, and so to pass through Gloucester." This news was so welcome, and his majesty was received with so full joy into the city of Hereford, that there was not the opportunity embraced of discommoding at least, if not to ruin the Scottish army; which now passed through a strange country, where they had never been, and where the whole nation was extremely odious to the people. Nor would the governor of Gloucester suffer them to pass through his garrison, till they sent him word plainly, "that if they might not pass through that town, they knew they should be very welcome to pass through Worcester;" by which argument he was convinced and converted; so that he permitted them to go through that town, from whence they prosecuted their march into the north. And if, in all this time, they had been pursued by the king's horse, considering the small body they had of their own, there is little doubt to be made very many, if not the greater part of that army, had been destroyed.

But the king's heart was now so wholly set upon the relief of Bristol, and nothing else was thought upon, which might in any degree delay it. And so the king, from Hereford, advertised prince Rupert, "that he had raised the siege of Hereford, and that the Scots were marched northward; that he intended speedily to relieve him; and in

"order to it, that he had then commanded general Goring, to draw what force he could out of the west; and to march to the Somersetshire side of Bristol; and that his majesty would himself have a body of three thousand foot, drawn out of the several garrisons of those parts, which should pass over the Severn, about Berkley-castle on Gloucestershire side; and that his horse, which were then above three thousand, should at the same time ford the Severn not far from Gloucester," (as they might easily have done,) "and so join with his foot; and by this means, all things being well concerted, they might hopefully fall on Fairfax's quarters on both sides." And the better to bring all this to pass, the king himself went the second time to Ragland, the house of the marquis of Worcester; sending the horse to those several places, as might best facilitate the execution of the design that was formed for the relief of Bristol.

But when the king came to Ragland, he received the terrible information of the surrender of Bristol, which he so little apprehended, that if the evidence thereof had not been unquestionable, it could never have been believed. With what consternation, and dejection of mind, the king received this advertisement, needs no other description and enlargement, than the setting down, in the very words of it, the letter which the king writ thereupon to prince Rupert; which, considering the unspeakable indulgence his majesty had ever shewed towards that prince, is sufficient evidence, how highly he was offended and incensed by that act; which yet he took some time sadly to think of, and consider, before he would give himself to abate so much of his natural candour towards him. As soon as he received that surprising intelligence, he presently removed from Ragland, and returned to Hereford, which was the post he chose to enter upon new considerations of the desperateness of the condition he was in, and to enter upon new consultations. To that purpose, he sent orders "for all the officers, and their troops, which had been sent into Shropshire, Worcestershire, and South Wales, to provide for the relief of Bristol, to attend him there." And as soon as he came to Hereford, he despatched an express with this letter to prince Rupert.

*Hereford, 14th Sept. 1645.*

"Nephew,

"Though the loss of Bristol be a great blow to me, yet your surrendering it as you did, is of so much affliction to me, that it makes me not only forget the consideration of that place, but is likewise the greatest trial of my constancy that hath yet befallen me; for what is to be done, after one that is so near me as you are, both in blood and friendship, submits himself to so mean an action? (I give it the easiest term) such—I have so much to say, that I will say no more of it: only, lest rashness of judgment be laid to my charge, I must remember you of your letter of the 12th of August, whereby you assured me, that, if no mutiny happened, you would keep Bristol for four months. Did you keep it four days? Was there any thing like a mutiny? More questions might be asked, but now, I confess, to little purpose: my conclusion is, to desire you to seek your subsistence, until it shall

"please God to determine of my condition, somewhere beyond seas; to which end I send you herewith a pass; and I pray God to make you sensible of your present condition, and give you means to redeem what you have lost; for I shall have no greater joy in a victory, than a just occasion without blushing to assure you of my being

"Your loving uncle, and most faithful friend,  
"C. R."

With this letter, the king sent a revocation of all commissions formerly granted to prince Rupert, and signified his pleasure to the lords of the council at Oxford, whither prince Rupert was retired with his troops from Bristol, "that they should require prince Rupert to deliver into their hands his commission." And whether the king had really some apprehension that he might make some difficulty in giving it up, and make some disorder in Oxford, or whether it was the effect of other men's counsels, his majesty, at the same time, sent a warrant likewise for the present imprisonment of colonel Leg, (who was governor of Oxford,) as a person much in the prince's favour, and therefore like to be subservient to any of his commands. But this circumstance of rigour made the other judgment upon the prince thought to be over sudden, "that he should be made the first example of the king's severity, when so many high enormities and miscarriages of others had passed without being called in question." And as nobody suspected the prince's want of duty in submitting to the king's pleasure, so colonel Leg was generally believed to be a man of that entire loyalty to the king, that he was above all temptations: this circumstance of committing the governor, made the other to be likewise suspected to be more the effect of the power of some potent adversaries, than the effect of the king's own rigour.

When the prince [of Wales] came to Launceston from Exeter, (which was about the middle of September,) after the loss of Bristol, and the motion of the enemy inclined westward, it was then thought fit to draw all the trained bands of Cornwall to Launceston, and as many of them as could be persuaded, to march eastward; it being agreed at Exeter, "that, if the enemy gave time, the force of both counties (save what was necessary to be continued at Plymouth) should be drawn to Tiverton, and, upon that pass, to fight with the rebels;" for the better compassing whereof, it was ordered, "that sir Richard Greenvil should command all the Cornish trained bands, to which should be added his own three regiments, which he had carried to Taunton;" and which took themselves to be so disobliged, both officers and soldiers, (as in truth they were,) by the lord Goring, that they were absolutely disbanded, and could by no other means be gotten together, but upon assurance that they should be commanded by sir Richard Greenvil. Things being thus settled, Greenvil seemed well satisfied, having all the respect and encouragement from the prince that could be or was desired; and without any other indisposition, than that, once in two or three days, he would write a letter either to the prince himself, the lords, or Mr. Fanshaw, extolling himself, and reproaching the lord Goring's plundering horse, and sometimes sir John Berkley; in all which he used a very marvellous license.

During the prince's being at Exeter, sir John Berkley had desired, "that, in respect his continual presence would be necessary at Exeter, since the enemy apparently looked that way, his highness would dispose the command of the forces before Plymouth to such a person as he thought fit; who might diligently attend that service." There was a general inclination to have remitted again sir Richard Greenvil to that charge, which it was visible he looked for: but there were three great objections against it; the first, the pretence that general Digby had to that command; to whom it originally belonged; and both he, and the earl of Bristol, expected it upon this alteration; he being at that time so well recovered in his health, that he was well able to execute the command: the next, that if it should be offered to Greenvil, he would insist upon such assignments of contributions, as would be impossible to consent to with the subsistence of the army and of the garrisons: the last and the greatest was, that the whole design being now to draw such a body together, as might give the rebels battle, this could not be without the Cornish trained bands, and those other soldiers, who had run from their colours; neither of which would march without sir Richard Greenvil; and it was apparent, if he went to Plymouth, those old soldiers would go to him. Besides, his experience and activity was then thought most necessary to the marching army; where there was a great dearth of good officers. Hereupon, it was resolved that general Digby should again resume the charge at Plymouth, but upon any extraordinary occasion, and advance of the enemy, he was to receive orders from sir Richard Greenvil; and accordingly, upon sir Richard Greenvil's advancing into Devon, and fixing a quarter at Okington, Digby was ordered so to do; which he observed accordingly.

In the beginning of October, the lord Goring persuaded the commissioners of Devon, upon his promise to punish and suppress all disorders in the soldiery, and that the markets should be free, "to double the contribution of the county for six weeks, and to assign half thereof to his army;" by virtue whereof he raised vast sums of money; but abated nothing of the former disorders and pressures: and the money so raised, instead of being regularly distributed amongst the soldiers, was disposed to such persons as he thought fit by his warrants to direct. But no sooner was sir Thomas Fairfax advanced as far as Cullampton, than the lord Goring gave over the thought of defending Devon, and, by his letter of the eleventh of October to the lord Colepepper, said, "that he had sent all the horse, but one thousand, westward, under the command of the major general, to join with the Cornish; who were to advance; and that himself, with one thousand horse, and all his foot, resolved to stay in Exeter to defend that town, if the enemy came before it; or to be ready to attend their rear, if they marched forward;" and therefore desired, that his highness would appoint whom he thought fit, to give orders to the lord Wentworth, his major general, who was prepared not to dispute orders sent by any substituted by the prince." Hereupon, the prince had appointed sir Richard Greenvil "to advance with the Cornish to Okington," and directed the major general "to receive orders from him:" but, by that time they two had disposed

their business into order, as they did very handsomely and cheerfully, general Goring changed his mind, and, within four days after his former letter, he retired with his thousand horse out of Exeter to Newton Bushell; and then sent to the prince, by a letter to the lord Colepepper, to know "whether sir Richard Greenvil should receive orders from him; and offered to undertake any design with sir Richard Greenvil, or by himself, as the prince should direct; or that if his presence and command should be thought, on the account of any indisposition in the Cornish towards him, probable to produce any inconvenience to the service, he would willingly, for that expedition, resign his command to any person the prince would design for it:" intimating withal, "that if the lord Hopton had it, the lord Wentworth would willingly receive orders from him." His highness, the next day, writ to him, "that he committed the management of the whole to his lordship; and had commanded sir Richard Greenvil to receive orders from him, who had then a good body of Cornish with him, and power to draw off the men from Plymouth, if there should be occasion."

The king's having been in that perpetual motion, as hath been mentioned before, kept the express that had been sent to him from the counsellors, upon the first signification of his pleasure concerning the prince's transportation into France, from delivering that letter for some time. So that it was the middle of October before they received his majesty's further direction. Then this letter to the lord Colepepper was brought back by the same express.

*Chirke Castle, 29 Sept. 1645.*

"Colepepper,

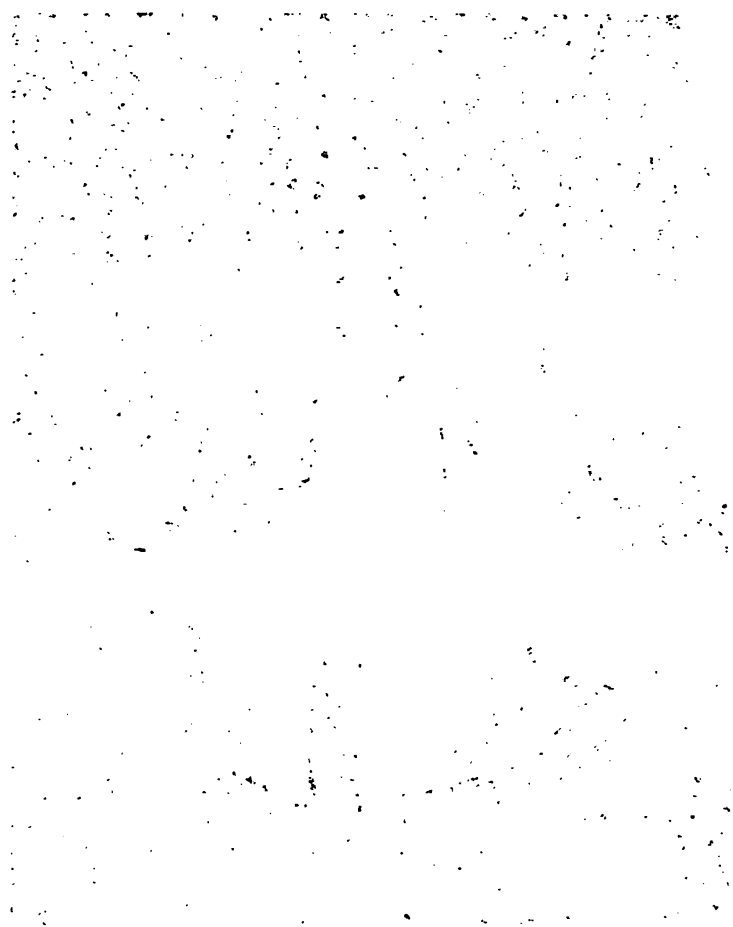
"I have seen and considered your despatches; and for this time you must be content with results without the reasons, leaving you to find them: lord Goring must break through to Oxford with his horse, and from thence, if he can, find me out, wheresoever he shall understand I shall be; the region about Newark being, as I conceive, the most likeliest place. But that which is of more necessity, indeed absolute, is, that, with the best conveniency, the most secrecy, and greatest expedition, prince Charles be transported into France; where his mother is to have the sole care of him, in all things but one, which is his religion; and that must still be under the care of the bishop of Salisbury; and this I undertake his mother shall submit unto: concerning which, by my next despatch, I will advertise her; this is all; so I rest

"Your most assured friend, *Charles R.*"

To which there was a postscript in these words: "C. R. For lord Goring's business, though I wish it, I cannot say it is absolutely practicable; but for my son's, that is of necessity to be done; yet for the way, I leave it to your discretion, having already with you, as I conceive, as much power in paper as I can give you. France must be the place, not Scotland, nor Denmark. C. R."

Though this letter was writ after the loss of Bristol, yet when it arrived, the hopes of the west were not thought desperate; and it was absolutely concluded between the lords, "that, as the person of the prince was never to be in hazard of being





Engraved by J. Cockeran

**PRINCE RUPERT.**

OB. 1682.

FROM THE ORIGINAL OF VAN DYKE IN THE COLLECTION OF

THE RIGHT HON<sup>BLE</sup> THE EARL OF CRAVEN.



"surprised, so he was not to be transported out of the king's dominions, but upon apparent, visible necessity, in point of safety:" and the very suspicion of his going had been, both by the lord Goring and others, enviously whispered, to the great disheartening of the people; so that (besides that an unseasonable attempt of going might have been disappointed) they saw that the loss of the whole west, both garrisons and army, would immediately have attended that action; and therefore they thought, they should be absolved, in point of duty, by the king, if they only preserved themselves in a power of obeying him, without executing his command at that time; especially since general Goring thought it not reasonable to observe the orders, which were sent to him at the same time, for marching towards the king, nor so much as advised with his highness, or communicated that he had received any such orders; and yet his highness let him know, "that he was well content, that he should break through with his horse to the king;" which he might have done.

The enemy, having gained Tiverton, made no great haste to the west of Exeter, but spent their time in fortifying some houses near the town, on the east side, without receiving the least disturbance from the army; the lord Goring entertaining himself in his usual jollity between Exeter, Totness, and Dartmouth; it being publicly spoken in Exeter, "that the lord Goring intended to leave the army, and speedily to go beyond seas, and that lieutenant general Porter resolved to go to the parliament;" long before the prince understood general Goring's resolution to go into France, from any intimation from himself. The twentieth of November, his lordship writ a letter from Exeter to the prince by the lord Wentworth, "that, now that the enemy and his lordship were settled in their winter quarters," (whereas the enemy was then as stirring as ever,) "he did beg leave of his highness to spend some time, for the recovery of his health, in France;" intimating, "that he hoped to do his highness some notable service by that journey;" and desired, "that his army might remain entirely under the command of the lord Wentworth" (whereas, not above a fortnight before, he had writ, "that the lord Wentworth was very willing to receive orders from the lord Hopton") "until his return;" "which, he said, should be in two months;" and so having despatched the lord Wentworth with this letter to the prince to Truro, his lordship, never attending his highness's leave or approbation, went the same, or the next day, to Dartmouth; where he stayed no longer than till he could procure a passage into France; whither, with the first wind, he was transported; lieutenant general Porter, at the same time, declining the exercise of his command, and having received several messages, letters, and a pass from the enemy for his going to London. After the knowledge whereof, general Goring signed a warrant for the levying two hundred pounds upon the country for the bearing his charges. The lord Wentworth, at the time of his being then at Truro, told some of his confidants, "that the lord Goring intended to return no more to the army, or into England; but relied upon him to preserve the horse from being engaged, till he could procure a license from the parliament to transport them, for the service of a foreign prince, which would be a fortune to the

officers." And the major general (who is a very worthy person) told me afterwards at Launceston, "that he could not understand the lord Goring; for that, at his going from the army, he gave the officers great charge to preserve their regiments, for he had hope to get leave to transport them;" and within few days after he arrived at Paris, he sent captain Porridge into England, to fetch all his saddle horses, and horses of service, upon pretence that he was to present them in France; though at the same time he assured his friends, "that he was returning speedily with men and money;" which was not the more believed by his sending for his horses.

Though there had been no great modesty used in the discourses of the people towards general Goring, from the time of his first fastening in the west, especially of the Cornish, whom he had most unskilfully irreconciled to him, by his continual neglects and contempts of them, (as he would usually before Taunton, when he viewed his foot, clap an Irishman, or one of those soldiers who came out of Ireland, who doubtless were good men, on the shoulders, and tell him, in the hearing of the rest, "that he was worth ten Cornish cowards," the greatest part of his present strength, and all his future hopes depending upon the Cornish, many whereof had reason to believe themselves not inferior to any who had served the king,) yet from the time that he left the army, and went for France, they gave themselves a greater license; and declared, "that he had, from the beginning, combined with the rebels; and having wasted and ruined all the supplies which had been sent him, had now left a dissolute and odious army to the mercy of the enemy, and to a county more justly incensed, and consequently more merciless than they. They compared the loss of Weymouth, in the view of his army, after he had been in the town, and when the whole direction was in him, with the counter-scuffle at Petherton-bridge, when two of his own parties, pursuing the orders they had received, fought with each other, whilst the enemy retired to their own strengths: they remembered the voluntary, wanton, incensing the country; the discountenancing the garrison of Lampport, and dissolving it; the eating the provisions of the rest; the cherishing the club-men; and the lying with his whole army before Taunton full six weeks, (after he had declared the enemy to be in his mercy, within six days,) and in that time (pretending that he would in few days starve them) he suffered great quantities of provisions to be carried into them, through his own quarters, and several interviews and private meetings to be by his brother Porter (whose integrity he had before suspected) and the chief officers of the rebels: the neglecting his body of foot, during the time that he lay before Taunton, by which he suffered above two thousand to run away. They talked of the beating up his head quarter the day before the rout at Lampport at noon-day, for which no man was ever called to a council of war; and that total rout at Lampport, as two of the most supine and unsoldierly defeats, that were ever known; before which, or in those straits, or upon any other occasions of advice, that he never called a council of war to consider what was to be done; and in that last business of Lampport, himself was so far from being pra-



"sent, that coming in great disorder to Bridgewater, he said, he had lost his foot and cannon; which indeed were brought off entirely by the care and diligence of the lord Wentworth and sir Joseph Wagstaff. They talked of his unheard of negligence of the army, after that retreat from Bridgewater, insomuch as of between three and four thousand foot, which himself confessed he had after that business, (and, if his loss had been no greater than he owned, must have been a far greater number,) within sixteen days, he had not thirteen hundred, nor ever after recovered a man, but what was gotten up by the activity and authority of the prince. Lastly, they remembered his lying in Devonshire from the beginning of July, which was about the time of his retreat from Lampport, to the end of November, when he went to France, (which was five months,) with a body of above four thousand horse and foot, which had been, and might easily have been made equal; destroying and irreconciling the country to the king and the cause, without making the least attempt, or in any degree looking after the enemy; whilst the rebels, by formal sieges, took in the garrisons of Bridgewater, Sherborne, and Bristol, and many other lesser and important holds."

Upon the whole matter, comparing his words and his actions, laying his doing and his not doing together, they concluded, "that if he had been confederate with the enemy, and been corrupted to betray the west, he could not have taken a more effectual way to do it; since he had not interest enough by any overt act to have put it into their power;" and therefore they who had a greater opinion of his wit, courage, and conduct, than of his conscience and integrity, presumed the failing was in the latter; towards which opinion they were the more inclined, by many discourses negligently let fall by the enemy in their quarters, "that they were sure enough of Goring;" and by sir Thomas Fairfax's applying himself to the taking those strong places after the rout at Lampport, without ever considering or looking after the lord Goring's army; which, he could not but know, consisted of a body of horse, equal in number to his own; and had reason to apprehend those two populous counties of Devon and Cornwall could quickly recruit the foot; "which negligence (said they) Fairfax could never be guilty of, if he had not been well assured, that those forces should work them no inconvenience;" besides that, being unpursued, Goring might easily have made an escape, and joined with the king, and so have diverted all the enemy's designs upon the west.

But others, who were not enough in love with the lord Goring, to desire to be joined with him in any trust, yet in their opinions clearly absolved him from any combination with the enemy, or design of treachery, and imputed the slow managing the business, at his first coming into the west, and overslipping some opportunities of advantage, to his desire of being settled in that command, and so not making haste, lest, the work being done, he might be necessitated to leave those parts, and be called to the king; for, without doubt, though there was a reconciliation made between him and prince Rupert to that degree, that all the countenance general Goring received from court in prejudice of the prince's authority, and of his council, was procured for him purely by his highness; who

in one of his letters to him, at such time as he was before Taunton, used these words; "what you desire in your letter, on the twenty-second of May, shall be observed; and assure yourself that prince Rupert shall maintain general Goring's honour and power, and shall lose his life, rather than general Goring shall suffer for prince Rupert;" which letter (as he did any others, which he received from his majesty, or the secretaries, in cipher) he communicated to the company in all his acts of good fellowship; yet, I say, it was very evident, he was resolved never to be in the same army with prince Rupert under his command; and all his loose and scandalous speeches they imputed to an innate license he had always given himself; and his gross and unfortunate oversights, to the laziness and inactivity of his nature; which could better pursue, and make advantages upon good successes, than struggle and contend with difficulties and straits. And they who had been nearest the observation found a great difference between the presentness of his mind and vivacity in a sudden attempt, though never so full of danger, and an enterprise that required more deliberation, and must be attended with patience, and a steady circumspection; as if his mind could not be long bent. And therefore he had been observed to give over a game, sooner than gamblers that have been thought to have less fire. Many other passages must be attributed to his perfect hatred of all the persons of the council, after he found they would not comply with his desires, and to his particular ambition; and both those passions of ambition and revenge might transport his nature beyond any limits. But what he meant by his discourse at parting to the officers, for the keeping the horse for the service of some foreign prince, was never understood, except he did really believe, that he should shortly return with a body of foot; and so, that they should not be forward to engage with the enemy, or else to keep such a dependence upon him from the officers, that they should always hope for employment under him.

Whilst sir Richard Greenvil stayed at Okington, he had several strange designs; which he always communicated to the prince, or lords, in writing; one of which was, "to cut a deep trench from Barnstable to the south sea, for the space of near forty miles; by which, he said, he would defend all Cornwall, and so much of Devon, against the world;" and many such impossible undertakings; at which they who understood matters of that nature thought him besides himself. Notwithstanding the trained bands of Cornwall returned to their homes, (having stayed out their month; which was their first contract,) sir Richard Greenvil stayed still at Okington, with his three regiments of old soldiers, having barricaded the town; the pass being of very great importance to hinder the enemy from any communication with Plymouth. And indeed the reputation of his being there with a greater strength than in truth he had at any time, was a great means of keeping the rebels on the east side of Exeter; as appears by their sudden advance, as soon as he removed from that post; which he did about the end of November, without giving the least advice to the prince of such his purpose, and contrary to the express desire of the lords Capel and Colepepper, who were then at Exeter, and, hearing of his reso-

lution, had written to him very earnestly "not to remove." He suddenly retired with his three regiments from Okington into Cornwall, and mustered his men upon the river Tamar, that divides Cornwall from Devon, with express command "to guard the passes, and not to suffer any of the lord Goring's men, upon what pretence or warrant soever, to come into Cornwall." For the better doing whereof, he caused the country to come in to work at their bridges and passes, as he had done before, most impertinently, for the fortifying of Launceston; and caused proclamations, and orders of his own, to be read throughout Cornwall, in the churches, "that if any of the lord Goring's forces" (whom in those writings he charged with all the odious reproaches for plundering) "should offer to come into Cornwall, they should ring the bells, and thereupon the whole county should rise, and beat them out;" by these unheard of and unwarrantable means, preparing the country to such a hatred of the lord Goring, and his forces, that they rather desired the company of the rebels; so alienating all men's spirits from resisting of the enemy; and all this without so much as communication with the prince, till it was executed.

About the last week of November, he came himself to Truro to the prince, on the same day that his highness had received letters from the lords at Exeter, of the extreme ill consequence of sir Richard Greenvil's drawing off from Okington; upon encouragement whereof, a strong party of the enemy was come to Kirton. Whereupon his highness sent for sir Richard Greenvil; and, in council, acquainted him with those letters, and other intelligence that he had received of the enemy, and desired him to consider what was now to be done. The next day, without attending his highness any more, but returning to his house at Worrington, he writ a long letter to Mr. Fanshaw of his advice, which he desired might be communicated to the lords; which was, "that his highness should send to the parliament for a treaty, and should offer, if he might enjoy the revenue of the duchy of Cornwall, and that they would not advance to disturb him in that county, that he would not attempt any thing upon them, but that they should enjoy the freedom of all their ports in Cornwall for trade, without any disturbance by his majesty's ships;" and so, in plain English, to sit still a neuter between the king and the parliament, at a time when there was a body of horse superior to the enemy in those parts; and when an equal proportion of foot might have been gotten together; and when his majesty had not the face of an army in any other part of England. The prince was very much troubled at this letter, and the more, because he found sir Richard Greenvil had contracted a great friendship with such of his highness's servants, as he had reason to believe less zealous and intent upon the honour and prosperity of the king; and because he had discovered he laboured very much to infuse a jealousy into the governor of Pendennis-castle, "that the prince intended to remove him from that command, and to confer it upon the lord Hopton;" to which purpose he had written to the governor from Okington, (when the lord Hopton, and the chancellor, were sent down thither to assist him in the fortifying and supplying that castle; which if they had not done, it

would not have held out, as it did afterwards,) "that the lord Hopton had a commission to take that charge from him; but that he should not suffer such an affront to be put upon him; for he, and all his friends, would stick to him in it:" whereas there was never the least thought or intention to make any alteration in that government.

Shortly after that letter of the twenty-seventh, sir Richard Greenvil writ again to Mr. Fanshaw, to know how his propositions were approved; to which, by direction, he returned, "that the council had not been yet together since the receipt of them; the lords Capel and Colepepper being not then returned from Exeter; and that therefore it had not been yet debated." He proceeded in the mean time in his fortifications there, and, about the middle of December, the prince continuing at Truro, he sent several letters to the gentlemen of the county "to meet him at Launceston:" one of which letters I saw, to colonel Richard Arundel; in which, "he desired him to bring as many gentlemen, and others of ability, as he could, as well the disaffected, as well affected; for that he intended to communicate to them some propositions, which he had formerly preferred to the prince, and though they were not hearkened to there, he believed would be very acceptable to his countrymen of Cornwall;" but the prince's sudden going to Tavistock disappointed that meeting.

Shortly after the lord Goring's going into France, the prince, being informed from Exeter, "that the enemy, at the same time having finished their works, which kept the city from any relief on the east side, were now drawing their forces to the west side, whereby that city would be speedily distressed;" thought it necessary to send the lords Brentford, Capel, Hopton, and Colepepper, to confer with the lord Wentworth; who lay then at Ashburton, six miles from Totness, and with sir Richard Greenvil, who was ready to draw some foot into Devon, to the end that such an understanding might be settled between them two, that the service might proceed: their lordships being directed, by instructions under his highness's hand, upon consideration of the state of the forces, and conference with the lord Wentworth, and sir Richard Greenvil, to advise what speedy course should be taken for the relief of Exeter, (the prince having at the same time disbursed a thousand pound ready money to two merchants of Exeter, for provision of corn for that city,) presuming that both the one and the other would have been very ready to have received and followed the advice which their lordships should give.

The place of meeting was appointed to be Tavistock, where every body was, save the lord Wentworth; but he failing, the lords, having directed sir Richard Greenvil how to dispose of himself, went themselves to Ashburton, near twenty miles further, to the lord Wentworth's quarter; where they spent a day or two, but found not that respect from him they had reason to have expected. His lordship was very jealous of diminution in his command, which general Goring had devolved to him, and expressing himself oftentimes to them very unnecessarily, "that he would receive orders from none but the prince himself;" whereupon, and upon the importunate calling for relief from Exeter, their lordships "thought it absolutely necessary,

"that the prince himself should advance in person, as well to bring up as great a body of the Cornish as was possible, (which without his presence was not to be hoped for,) as to dispose the command of the whole forces in such manner, as might probably be for the best advantage; the best that was to be hoped for being to bring the enemy to fight a battle; and to be enabled to that purpose, by joining with the foot that were in Exeter; which was a very hopeful body." For the conducting so great a design, upon which no less than three crowns depended, the lord Wentworth could not be thought of interest, experience, or reputation enough; and yet there was so great regard, that he should not suffer in his honour, or the imaginary trust devolved to him by general Goring, or rather indeed that no notable hazard might be run, by any unnecessary mutation in commands, at a time when the soldier was to be led to fight, that it was resolved, "that he should be rather advised than commanded; and that if he comported himself with that temper and modesty, as was expected, all resolutions should be formed in council, and all orders thereupon should issue in his own name."

The next day after Christmas day, the weather being fitter for a fire than a march, the prince went from Truro to Bodmin; and the next day to Tavistock; where the lords of the council attended; the lord Wentworth continuing at Ashburton, and his horse spread over that part of the country which was at any distance from the enemy. Sir Richard Greenville, who attended likewise at Tavistock, had sent three regiments of foot to Okington, under the command of major general Molesworth; which were secured by the brigade of horse under major general Web, who was quartered near those parts, and the Cornish trained bands were to come up within a week; the blockade before Plymouth was maintained by general Digby, with about twelve or thirteen hundred foot, and six hundred horse; but the whole contribution assigned for the support of those forces was taken by the lord Wentworth's horse; so that the prince was compelled to supply those men, out of the magazines of victual which he had provided in Cornwall for the army when it should march; and to leave his own guard of horse upon the skirts of Cornwall; there being no quarter to be had for them nearer his own person.

[About this time,] sir Thomas Fairfax quartered at a house about two miles east of Exeter, sir Hardress Waller with a brigade of his army at Kirton, and another part of the army had possessed Powderham-house, and the church, Hulford-house, and some other holds on the west side; so that no provisions went in, and it hath been said before, how long the army under Goring had subsisted upon the provisions within, and kept all supply from entering: the advice taken at Tavistock, upon the prince's coming thither, was, "that as soon as the Cornish foot should be come up, his highness should march with those, his own guards, and as many foot as might conveniently be taken from before Plymouth, by leaving horse in their place, to Totness; where a magazine should be made of provisions for the whole army, both by money (for which the county would yield great store of provisions) and by victuals brought out of Cornwall by sea;" for which likewise directions were given: "from that place it was concluded, that the prince might join with the forces in Exeter,

"except the rebels should draw their whole body between them; and then that garrison would be able both to relieve itself, and to infest the enemy in the rear; and the prince might retire, or fight, as he found it most convenient and advantageous to him." Resolutions being thus fixed, and the Cornish being not expected in full numbers till the week following, the prince chose to go to Totness; where all things necessary might be agreed with the lord Wentworth, who might conveniently attend there, his quarters being within six miles; and where directions might be given for making the magazine, towards which money had been returned out of Cornwall.

The next day after the prince came thither, the lord Wentworth attended him, and was informed in council, what had been thought reasonable at Tavistock; the which he approved of: the prince then called to see a list of the quarters, that thereupon it might be agreed how the whole army should be quartered when they came together; to which end, the next day the lord Wentworth brought the quarter master general Pinkney, who indeed governed him. At the first council, the lord Wentworth told the prince, "that he was to declare one thing to him, at the entrance into business, and for the prevention of any mistakes, that he could receive no orders from any person but his highness; the lord Goring having proposed that trust in him, and given him a commission and instructions to that purpose;" which he often repeated afterwards in council; and, in the debate of quartering, talked very imperiously, and very disrespectfully, and one day, after he had been drinking, very offensively to some of the council, in the presence of the prince. The time was not conceived seasonable for the prince to declare how the army should be commanded, till he had brought it together, and till he had his own guards about him; and so the prince, though he was nothing satisfied in the lord Wentworth's carriage, only told him, "that he would take the command of the army upon himself, and issue out orders as he should think fit;" and having visited the port and garrison of Dartmouth, and taken sufficient course for the providing the magazines, and settled the differences about quartering, he returned to Tavistock; resolving, with all possible expedition, to march with the whole body of foot to Totness, according to former appointment.

The day before the prince begun his journey to Tavistock, he received a letter from the king his father, dated upon the seventh of November, in these words:

*Oxford, 7th of November, 1645.*

"Charles,

"I leave others to tell you the news of these parts, which are not so ill, as, I believe, the rebels would make you believe: that which I think fit to tell you is, I command you, as soon as you find yourself in a probable danger of falling into the rebels' hands, to transport yourself into Denmark; and, upon my blessing, not to stay too long upon uncertain hopes within this island, in case of danger as above said. For, if I mistake not the present condition of the west, you ought not to defer your journey one hour: in this I am not absolutely positive; but I am directly positive, that your going beyond sea is absolutely

"necessary for me, as I do, to command you ;  
 "and I do not restrain you only to Denmark,  
 "but permit you to choose any other country,  
 "rather than to stay here : as for Scotland and  
 "Ireland I forbid you either, until you shall have  
 "perfect assurance, that peace be concluded in the  
 "one, or that the earl of Mountrose, in the other,  
 "be in a very good condition ; which, upon my  
 "word, he is not now : so God bless you.

"Your loving father, *Charles R.*"

Though the intimations in this letter were strong for a present remove, yet they not being positive, and the time of the year being such, as that the prince could not be blocked up by sea, and so could choose his own time, and having one county entire, and Exeter and Barnstable in the other well garrisoned, besides the blockade before Plymouth, and the reputation of an army, the council were of opinion, that the time was not yet ripe ; and so pursued the former design of joining the Cornish to the horse, and to endeavour the relief of Exeter ; for which purpose, the prince undertook the journey before mentioned to Tavistock, the day after Christmas day ; and, at his coming thither, received this other letter from the king.

*Oxford, the 7th of December, 1645.*

"Charles,

"I writ to you this day month ; of which, few  
 "days after, I sent you a duplicate. The causes  
 "of my commands to you in that letter, are now  
 "multiplied. I will name but one, which I am  
 "sure is sufficient for what I shall now add to my  
 "former : it is this ; I have resolved to propose a  
 "personal treaty to the rebels at London ; in order  
 "to which a trumpet is by this time there, to de-  
 "mand a pass for my messengers, who are to  
 "carry my propositions ; which if admitted, as I  
 "believe it will, then my real security will be, your  
 "being in another country, as also a chief argument  
 "(which speaks itself without an orator) to make  
 "the rebels hearken, and yield to reason : whereas  
 "therefore I left you by my last to judge of the  
 "time, I absolutely command you to seek for care-  
 "fully, and take the first opportunity of transport-  
 "ing yourself into Denmark, if conveniently you  
 "can ; but rather than not go out of this kingdom,  
 "immediately after the receipt of this, I permit,  
 "and command you to repair to any other country,  
 "as France, Holland, &c. whereto you may arrive  
 "with most convenient security as to your passage ;  
 "for nothing else is to be feared : I need not  
 "recommend to you the leaving the country in the  
 "best posture you may, it so speaks itself, as I  
 "shall always do to be

"Your loving father, *Charles R.*"

His highness, as he used to do, as soon as he had perused the letter, which, as the rest, was written in the lord Colepepper's cipher, and by him deciphered, delivered it again to his lordship, "to be secretly kept, and communicated to the other three ;" for it was by no means yet safe to trust it farther. They were much troubled at the receipt of this letter ; for, besides that it found them in the article of the most probable design had been on foot since the late disasters, to preserve the west ; if they should have attempted to have given obedience to that command, the sudden, unexpected, and unreasonable leaving the army, would

visibly have declared what the intent had been, and would probably have engaged the people, and the soldiers, who would have wanted neither intelligence, nor instigation from the prince's own servants ; of whom the lords could not rely upon three men,) they being full of hope in the enterprise they were upon, and full of dislike of the other they should have chosen, to have prevented it ; towards which, they might reasonably have expected assistance from the garrison of Pendennis ; from which place his highness was necessarily to remove himself. So that if the prince attempted to go, and succeeded, the army, upon that discountenance, must dissolve ; and if he succeeded not, there might be a fatal consequence of the endeavour and disappointment. Then, though they had long kept a ship in the harbour in readiness, and had at that time another frigate of Mr. Hasdunck's, yet it had been carried with so much secrecy that very few had taken notice of it, and therefore they could not be provided for so long a voyage as to Denmark, which, with so precious a charge, would require two months victual at least. But that which troubled them most, was the argument which his majesty was pleased to use for his so positive command ; which, to their understanding, seemed to conclude rather, that his highness's transportation (at least without an immediate impulsion of necessity) was at that time most unreasonable : for if, in expectation of a treaty, his majesty should venture his royal person in London, and should be received there, and at the same time his highness's person should be transported out of the kingdom, by his majesty's own commands, (which could not then have been concealed,) it was reasonable to believe, that not only the rebels would make great advantage of it, as an argument against his majesty's sincere intentions, and thereby draw unspeakable and irreparable prejudice upon him ; but that his own council, by which he was disposed to that overture, and whose assistance he must constantly use, would take themselves to be highly disobliged by that act ; and they would lose all confidence in their future counsels.

Upon the whole matter, the lords were unanimously of opinion, "that the relief of Exeter was  
 "to proceed in the manner formerly agreed, and  
 "that the prince's person was to be present at it ;" and thereupon they sent an express to the king, with a despatch signed by the four who were trusted, a duplicate whereof was sent by another express the next day, in which they presented a clear state to his majesty of his forces, and the hopes they then had of improving their condition by the prince's presence ; of the condition of Exeter, and of the strength, as they conceived, of the enemy : and of the inconveniency, if not the impossibility, of obeying his majesty at that time. They farther informed his majesty of "the great  
 "indisposition, that they perceived in all the ser-  
 "vants towards his highness's leaving the king-  
 "dom ; and that the jealousy was so great of  
 "France, that they had reason to believe that  
 "many who were very faithful, and tender of his  
 "safety, would rather wish him in the hands of the  
 "enemy, than in that kingdom ; and therefore,  
 "when the article of necessity should come, (which  
 "they assured his majesty they would with any  
 "hazard watch and observe,) they must prefer the  
 "continuing him still within his majesty's own  
 "dominions, and so to waft him to Scilly, or

"Jersey, and from thence conclude what was to be done farther. They presented likewise their humble opinion to him, that in case he should be engaged in a personal treaty at London, (which they conceived the rebels would never admit, without such acts first obtained from his majesty, as might invalidate his power, and confirm theirs,) how inconvenient it might be, without the privity of those counsellors, whom he was then to trust, to transport the prince, except in danger of surprisal, before the issue of that treaty might be discerned:" assuring his majesty, "that nothing should put his highness's person into the hands of the parliament, but his majesty's own commands; which they should not resist in his own dominions, nor, they conceived, any body else, if he were out of them."

The appearance at Tavistock answered the expectation; there being full two thousand four hundred of the trained bands, very cheerful, and ready to march; at Okington were eight hundred old soldiers, under major general Molesworth; the foot with the lord Wentworth were given out to be eight hundred, with the lord Goring's guards which were in Dartmouth; and to be drawn thence upon the advance to the army: from Barnstable, the governor had promised to send five hundred men; and out of Exeter, at the least, a thousand five hundred men were promised: all which, with his highness's guards, might well be depended upon for six thousand foot. The horse was very little fewer than five thousand; whereof his highness's guards made near seven hundred; so that, if all these could have been brought to fight, the day seemed not desperate. The foot were appointed to have marched the morrow, when the news came, "that the enemy was advanced, and had beaten up the lord Wentworth's quarters in two several places;" and shortly after the news, the lord Wentworth himself came in, in great disorder, not informed of the particular of his loss, but conceived it to be greater than in truth it was, though many men, and more horses, were taken in both places. The prince was very desirous to pursue the former resolution, and to have advanced with the whole body to Totness; but the lord Wentworth did not only allege, "that probably the enemy was possessed by that time of Totness, but that he had in truth no hope to rally his horse together, in any numbers, till they might be allowed three or four days' rest." Whereas all that rout had been occasioned by small parties of the enemy, who, at daytime, came into their quarters, and found no guards, but all the horse in the stables; and their gross moved not in two or three days after; encouraged, it was thought, by the great disorder they found those troops to be in. Matters standing thus, and it being absolutely necessary, by reason of this disorderly retreat of the horse, to draw off the blockade from Plymouth, Tavistock was no longer thought a place for the prince's residence; his highness by the advice of a council of war removed to Launceston; whither all the foot were drawn, and the horse appointed to keep the Devonshire side of the river; and from thence he hoped he should be speedily able to advance towards Exeter.

The king had stayed at Hereford, in great perplexity and irresolution; not knowing which way to take, but most inclined to go to Worcester; till he was assured, "that the whole strength of the par-

liament in the north was gathered together under the command of Pointz; and that he was already come between Hereford and Worcester, with a body of above three thousand horse and dragoons; with which he was appointed always to attend the king's motion:" so that it would be very hard for his majesty to get to Worcester, whither his purpose of going was, upon the new resolution he had taken again to march into Scotland to join with Mountrose, who was yet understood to be prosperous. And this being the only design, it was not thought reasonable "to prosecute that march by Worcester, and thereby to run the hazard of an engagement with Pointz; but rather to take a more secure passage through North Wales to Chester; and thence, through Lancashire and Cumberland, to find a passage into Scotland, unobstructed by any enemy that could oppose them." This counsel pleased; and within four days, though through very unpleasant ways, the king came within half a day's journey of Chester; which he found in more danger than he expected or suspected; for within three days before, the enemy, out of their neighbour garrisons, had surprised both the outworks and suburbs of Chester; and had made some attempt upon the city, to the great terror and consternation of those within; who had been without apprehension of such a surprise. So that this unexpected coming of his majesty looked like a designation of Providence for the preservation of so important a place: and the besiegers were no less amazed, looking upon themselves as lost, and the king's troops believed them to be in their power.

Sir Marmaduke Langdale was sent with most of the horse over Holt-bridge, that he might be on the east side of the river Dee; and the king, with his guards, the lord Gerrard, and the rest of the horse, marched directly into Chester, with a resolution, "that, early the day following, sir Marmaduke Langdale should have fallen upon their backs, when all the force of the town should have sallied out, and so enclosed them." But sir Marmaduke Langdale, being that night drawn on a heath two miles from Chester, had intercepted a letter from Pointz, (who had marched a much shorter way, after he was informed which way the king was bound,) to the commander that was before Chester, telling him, "that he was come to their rescue, and desiring to have some foot sent to him, to assist him against the king's horse:" and the next morning he appeared, and was charged by sir Marmaduke Langdale, and forced to retire with loss; but kept still at such a distance, that the foot from before Chester might come to him. The besiegers begun to draw out of the suburbs in such haste, that it was believed in Chester, they were upon their flight; and so most of the horse and foot in the town had order to pursue them. But the others' haste was to join with Pointz; which they quickly did; and then they charged sir Marmaduke Langdale; who, being overpowered, was routed, and put to flight; and pursued by Pointz even to the walls of Chester. There the earl of Litchfield with the king's guards, and the lord Gerrard with the rest of the horse, were drawn up, and charged Pointz, and forced him to retire. But the disorder of those horse which first fled, had so filled the narrow ways, which were unfit for horse to fight in, that at last the enemy's musketeers compelled the king's horse

to turn, and to rout one another, and to overbear their own officers, who would have restrained them. Here fell many gentlemen, and officers of name, with the brave earl of Litchfield; who was the third brother of that illustrious family, that sacrificed his life in this quarrel. He was a very faultless young man, of a most gentle, courteous, and affable nature, and of a spirit and courage invincible; whose loss all men exceedingly lamented, and the king bore it with extraordinary grief. There were many persons of quality taken prisoners, amongst whom sir Philip Musgrave, a gentleman of a noble extraction, and ample fortune in Cumberland and Westmoreland; who lived to engage himself again in the same service, and with the same affection, and, after very great sufferings, to see the king restored. This defeat broke all the body of horse, which had attended the king from the battle of Naseby, and which now fled over all the country to save themselves; and were as much dispersed, as the greatest rout could produce.

The design of marching northward was now at an end; and it was well it was so; for about this very time Mountrose was defeated by David Lesley; so that if the king had advanced farther, as he resolved to have done, the very next day after he came to Chester, he could never have been able to have retreated. He stayed in Chester only one night after this blow, but returned, by the same way by which he had come, to Denbigh-castle in North Wales, being attended only with five hundred horse; and there he stayed three days to refresh himself, and to rally such of his troops as had stayed within any distance. And there he stayed till his broken troops were rallied again; so that he had in view four and twenty hundred horse; but whither to go with them was still the difficult question. Some proposed "the isle of Anglesey, as a place of safety, and an island fruitful enough to support his forces; which would defend itself against any winter attempt, and from whence he might be easily transported into Ireland or Scotland." They who objected against this, as very many objections might well be made, proposed "that his majesty might commandously make his winter quarters at Worcester, and by quartering his troops upon the Severn, between Bridgenorth and Worcester, stand there upon his guard; and, by the access of some other forces, might be able to fight with Pointz;" who, by this time, that he might both be able the more to straiten Chester, and to watch the king's motion, had drawn his troops over the river Dee into Denbighshire; so that he was now nearer the king, and made the march proposed much the more difficult; but there was so little choice, that it was prosecuted with good success; and there being another bridge to pass the Dee some miles further, and through as ill ways as any those countries are supplied with, his majesty went over without any opposition; and had, by this means, left Pointz a full day's journey behind. And here prince Maurice waited on his majesty with eight hundred horse, part whereof was of prince Rupert's regiment that came out of Bristol. And now being so much stronger, they less feared the enemy; yet continued their march without resting, till, by fording the Severn, they came to Bridgenorth, the place designed. And now every body expected, that they should forthwith go to Worcester, and take up their winter quarters;

but upon the news of the surrender of Berkley-castle in Gloucestershire, and of the Devizes in Wiltshire, two strong garrisons of the king's, it was urged, "that Worcester would not be a good place for the king's winter residence, and Newark was proposed as a place of more security." This advice was the more like to be embraced, because it was vehemently pursued upon a private and particular interest.

Though prince Rupert had submitted to the king's pleasure, in resigning his commission, yet he resolved not to make use of his pass, and to quit the kingdom, till he might first see his majesty, and give an account of the reasons which obliged him to deliver up Bristol, and was ready to begin his journey towards him, as soon as he could be informed where the king intended to rest. The lord Digby, who had then the chief influence upon his majesty's councils, and was generally believed to be the sole cause of revoking the prince's commission, and of the order sent to him to leave the kingdom, without being heard what he could say for himself, found that the odium of all this proceeding fell upon him; and therefore, to prevent the breaking of that cloud upon him, which threatened his ruin, (for he had not only the fury of prince Rupert, and all his party to contend with, but the extreme malice of the lord Gerrard; who used to hate heartily upon a sudden accident, without knowing why: over and above this, as prince Rupert would have an easy journey to Worcester, so prince Maurice was governor there, who had a very tender sense of the severity his brother had undergone, and was ready to revenge it: whereas if the king went to Newark, the journey from Oxford thither would be much more difficult, and prince Maurice would be without any authority there,) these reasons were motives enough to him, to be very solicitous to divert the king from Worcester, and to incline him to Newark; and his credit was so great, that, against the opinion of every other man, the king resolved to take that course: so having stayed only one day at Bridgenorth, and from thence sent sir Thomas Glemham to receive the government of Oxford, he made haste to Litchfield; and then passed with that speed to Newark, that he was there as soon as the governor had notice of his purpose. And in this manner, in the greatest perplexity of his own affairs, was his majesty compelled to condescend to the particular and private passions of other men.

When the king came to Newark, he betook himself to the regulating the very great disorders of that garrison; which, by their great luxury and excesses, in a time of so general calamity, had given great scandal to the commissioners, and to all the country. The garrison consisted of about two thousand horse and foot; and to those there were about four and twenty colonels and general officers, who had all liberal assignments out of the contributions, according to their qualities; so that though that small county paid more contribution than any other in England, there was very little left to pay the common soldiers, or to provide for any other expenses. This made so great a noise, that the king found it absolutely necessary to reform it; and so reduced some of the officers entirely, and lessened the pay of others; which added to and increased the number of the discontented people; which was very much too nu-

merous before. Now reports were spread abroad with great confidence, and the advertisement sent from several places, though no author named, "that Mountrose, after his defeat, by an access of those troops which were then absent, had fought again with David Lesley; and totally defeated him; and that he was marched towards the borders with a strong army." This news, how groundless soever, was so very good that it was easily believed, and believed to that degree, that the king himself declared a resolution, the third time, "to advance, and join with Mountrose;" and the lord Digby (who knew that prince Rupert was already upon his way from Oxford, and that prince Maurice had met him at Banbury) prevailed so far, that the king resolved, without delay, or expecting any confirmation of the report, "to move northward to meet the news, and, if it fell not out to his wish, he would return to Newark." In this resolution, after a week's stay at Newark, he marched to Tuxford; and the next day to Wellbeck, having, in his way, met with the same general reports of Mountrose's victories; which were interpreted as so many confirmations; and therefore, though the king assembled his council to consult at Wellbeck, he declared, "that he would not have it debated, whether he should advance or retire; but the manner of his advancing; since he was resolved not to retire; which he was sure would be attended with more mischief than could accompany his advancing."

This declaration, how disagreeable soever it was to the sense of much the major part, left very little to be consulted upon; for since they must advance, it was easily agreed, "that they should march the next day to Rotherham; and that the army should be drawn to a rendezvous, the next morning, at such an hour;" and so the officers rose to give orders out for the execution of what was resolved; when, in the instant, one knocked at the door; and, being called in, was the trumpeter formerly sent from Cardiff to the Scottish army, with a letter to the earl of Leven, general thereof; who had taken him with him as far as Berwick, before he would suffer him to be discharged. The king asked him, "what he had heard of the marquis of Mountrose?" He answered, "that the last news he had heard of him was, that he was about Stirling, retiring farther north; and that David Lesley was in Lothian, on this side Edinburgh; and that the Scottish army lay between North Allerton and Newcastle." This so unexpected relation dashed the former purpose; and the lord Digby himself declared, "that it was by no means fit for his majesty to advance; but to retire presently to Newark;" which was, by every body, agreed to; and the rendezvous of the army for the next morning to continue. When they were at the rendezvous, the king declared, "that though it was not judged fit for himself to advance northward, yet he thought it very necessary, that sir Marmaduke Langdale should, with the horse under his command, march that way; and endeavour to join with Mountrose." And, having said so, his majesty looked upon sir Marmaduke; who very cheerfully submitted to his majesty's pleasure; and said, "he had only one suit to make to his majesty; which was, that the lord Digby might command in chief, and he under him." All who were present, stood amazed at

all that had been said; of which no word had passed in council: but when the lord Digby as frankly accepted of the command, they concluded, that it had been concerted before between the king and the other two.

No man contradicted any thing that was proposed; and so immediately, upon the place, a short commission was prepared, and signed by the king, to constitute the lord Digby lieutenant general of all the forces raised, or to be raised, for the king on the other side of Trent; and with this commission he immediately departed from the king, taking with him from the rendezvous all the northern horse, with sir Marmaduke Langdale, and sir Richard Hutton, high sheriff of Yorkshire, together with the earls of Carnearth and Niddisdale, and several other Scottish gentlemen: he marched in the head of fifteen hundred horse; and so in a moment became a general, as well as a secretary of state; and marched presently to Doncaster.

Because this expedition was in a short time at an end, it will not be amiss to [finish] the relation in this place; there being no occasion to resume it hereafter. The lord Digby was informed at his being at Doncaster, "that there was, in a town two or three miles distant, and little out of the way of the next day's march, one thousand foot newly raised for the parliament;" which he resolved, the next morning, to fall upon: and did it so well, that they all threw down their arms, and dispersed; whereupon he prosecuted his march to a town called Sherborne, where he stayed to refresh his troops; and whilst he stayed there, he had notice of the advance of some troops of horse towards him, under the command of colonel Copley: Digby presently sounded to horse, and having gotten some few troops ready, marched with them out of the town; and finding Copley standing upon a convenient ground, he would not stay for his other companies, but immediately charged them with that courage, that he routed most of their bodies; which, after a short resistance, fled, and were pursued by his horse through Sherborne; where the other troops were refreshing themselves; who discerning the flight of horse, in great consternation, concluded, that they were their own fellows, who had been routed by the enemy: and so with equal confusion they mounted their horses, and fled as fast as the other, such ways, as they severally conceived to be most for their safety. By this means, a troop that remained upon the field unbroken, fell upon the lord Digby, and those officers and gentlemen who remained about him, and who had not pursued those who fled too far; who were compelled to make their retreat to Skipton; which they did with the loss of sir Richard Hutton, (a gallant and worthy gentleman, and the son and heir of a very venerable judge, a man famous in his generation,) and two or three other persons; and with the loss of his baggage; in which was his cabinet of papers; which, being published by the parliament, administered afterwards so much occasion of discourse.

At Skipton, most of the scattered troops came together again, with which he marched, without any other misadventures, through Cumberland and Westmoreland, as far as Dumfries in Scotland; and then, neither receiving directions which way to march, nor where Mountrose was, and less knowing how to retire without falling into the



hands of the Scottish army upon the borders; in the highest despair, the lord Digby, with sir Marmaduke Langdale, the two earls, and most of the other officers, embarked themselves for the Isle of Man; and, shortly after, for Ireland; where we shall leave them, all the troops being left by them, to shift for themselves. Thus those fifteen hundred horse which marched northward from that rendezvous, within very few days were brought to nothing; and the generalship of the lord Digby, to an end. But if it had not been for that extraordinary and unusual accident of the flying of his own troops, because the enemy fled, (as the greatest misfortunes which befell that noble person, throughout the whole course of his life, usually fell out in a conjuncture when he had near attained to what he could wish,) he had without doubt been master of York, and of the whole north; the parliament having no other forces in all those parts, their garrisons excepted, than those foot which he first defeated, and those horse which he had so near broken. The temper and composition of his mind was so admirable, that he was always more pleased and delighted that he had advanced so far, which he imputed to his own virtue and conduct, than broken or dejected that his success was not answerable, which he still charged upon second causes, for which he could not be accountable.

When the lord Digby and sir Marmaduke Langdale left the king, his majesty marched back to Newark with eight hundred horse of his own guards, and the troops belonging to the lord Gerard, and quickly heard of the misfortune that befell the northern adventurers; upon which he concluded that it would not be safe for him to stay longer in the place where he was, for by this time Pointz was come with all his troops to Nottingham, and Rossiter with all the force of Lincolnshire to Grantham; and all the power his majesty had was not in any degree strong enough to oppose either of them; so that he was only to watch an opportunity by the darkness of the nights, and good guides, to steal from thence to Worcester, or Oxford; in either of which he could only expect a little more time and leisure to consider what was more to be done.

But before his majesty can leave Newark, he must undergo a new kind of mortification from his friends, much sharper than any he had undergone from his enemies; and which, without doubt, he tolerated with much more grief, and perplexity of mind. Prince Rupert was now come to Belvoir-castle, with his brother prince Maurice, and about one hundred and twenty officers who attended him; with which he had sustained a charge from Rossiter, and broke through without any considerable loss. When the king heard of his being so near, he writ a letter to him, by which "he required him to stay at Belvoir till further order;" and reprehended him "for not having given obedience to his former commands." Notwithstanding this command, he came the next day to Newark, and was met by the lord Gerrard, and sir Richard Willis, governor of the town, with one hundred horse, two miles in his way. About an hour after, with this train, he came to the court; and found the king in the presence; and, without any ceremony, told his majesty, "that he was come to render an account of the loss of Bristol, and to clear himself from those imputations which had been cast upon him." The king said

very little to him; but, meat being brought up, went to supper; and, during that time, asked some questions of prince Maurice, without saying any thing to the other. After he had supped, he retired to his chamber, without admitting any farther discourse; and the prince returned to the governor's house, where he was well treated and lodged. The king, how displeased soever, thought it necessary to hear what prince Rupert would say, that he might with the more ease provide for his own escape from thence; which it was high time to make. So he appointed the next day to hear his defence, which the prince made with many protestations of "his innocence, and how impossible it was long to defend the fort, after the line was entered." His majesty did not suspect his nephew to have any malicious design against his service, and had no mind to aggravate any circumstances which had accompanied that action; and therefore, after a day or two's debate, caused a short declaration to be drawn up, by which prince Rupert was absolved and cleared from any disloyalty, or treason, in the rendering of Bristol, but not of indiscretion. And so that matter was settled; upon which the king expected the prince should have departed, as himself resolved to prosecute the means for his own escape, without communicating it to him.

The change of the posture of the enemy, by Pointz's coming to the north side of Trent, made his majesty resolve to begin his march on the Sunday night, being the twentieth of October; which he imparted to none but two or three of the nearest trust. But the differences were grown so high between the governor and the commissioners, (who were all the principal gentlemen of the country, and who had with all courage and fidelity adhered to the king from the beginning, and whose interest alone had preserved that place,) and had been so much improved by the mutual contests which had been between them in the presence of the king, that there was no possibility of reconciling them, and very little of preserving the garrison, but by the removal of the governor; which was so evident to the king, that he resolved on that expedient; and, on the Sunday morning, sent for sir Richard Willis into his bedchamber; and after very many gracious expressions of "the satisfaction he had received in his service, and of the great abilities he had to serve him," he told him, "his own design to be gone that night; and that he resolved to take him with him, and to make him captain of his horse guards, in the place of the earl of Litchfield, who had been lately killed before Chester," (which was a command equal to any subject,) "and that he would leave the lord Bellasis governor of Newark, who being allied to most of the gentlemen of the adjacent counties, and having a good estate there, would be more acceptable to them." And his majesty condescended so far, as to tell him, "that he did not hereby give a judgment on the commissioners' side, who he declared had been to blame in many particulars; and that he himself could not have an ampler vindication, than by the honour and trust he now conferred upon him: but he found it would be much easier to remove him, than to reform the commissioners; who, being many, could not be any other way united in his service."

Sir Richard Willis appeared very much troubled;



and excused the not taking the other command, "as a place of too great honour, and that his fortune could not maintain him in that employment:" he said, "that his enemies would triumph at his removal, and he should be looked upon as cast out and disgraced." The king replied, "that he would take care and provide for his support; and that he could not be looked upon as disgraced, who was placed so near his person; which, he told him, he would find to be true, when he had thought a little of it." And so his majesty went out of his chamber, and presently to the church. When he returned from thence, he sat down to dinner; the lords, and other of his servants, retiring to their lodgings on the same business. Before the king had dined, sir Richard Willis, with both the princes, the lord Gerrard, and about twenty officers of the garrison, entered into the presence chamber: Willis addressed himself to the king, and told him, "that what his majesty had said to him in private, was now the public talk of the town, and very much to his dishonour:" prince Rupert said, "that sir Richard Willis was to be removed from his government, for no fault that he had committed, but for being his friend:" the lord Gerrard added, "that it was the plot of the lord Digby, who was a traitor, and he would prove him to be so." The king was so surprised with this manner of behaviour, that he rose in some disorder from the table, and would have gone into his bedchamber; calling sir Richard Willis to follow him; who answered aloud, "that he had received a public injury, and therefore that he expected a public satisfaction." This, with what had passed [before], so provoked his majesty, that, with greater indignation than he was ever seen possessed with, he commanded them "to depart from his presence, and to come no more into it;" and this with such circumstances in his looks and gesture, as well as words, that they appeared no less confounded; and departed the room, ashamed of what they had done; and yet as soon as they came to the governor's house, they sounded to horse, intending to be presently gone.

The noise of this unheard of insolence quickly brought the lords who were absent, and all the gentlemen who were in the town, to the king, with expressions full of duty, and a very tender sense of the usage he had endured. And there is no doubt, he could have proceeded in what manner he would against the offenders. But his majesty thought it best, on many considerations, to leave them to themselves, and to be punished by their own reflections; and presently declared the lord Bellasis to be governor; who immediately betook himself to his charge, and placed the guards in such a manner as he thought reasonable. In the afternoon, a petition and remonstrance was brought to the king, signed by the two princes, and about four and twenty officers; in which they desired, "that sir Richard Willis might receive a trial by a court of war; and if they found him faulty, then to be dismissed from his charge: and that, if this might not be granted, they desired passes for themselves, and as many horse as desired to go with them." Withal, they said, "they hoped, that his majesty would not look upon this action of theirs as a mutiny." To the last, the king said, "he would not now christen it; but it looked very like one.

"As for the court of war, he would not make that a judge of his actions; but for the passes, they should be immediately prepared for as many as desired to have them." And the next morning the passes were sent to them; and in the afternoon they left the town; being in all about two hundred horse; and went to Wyverton, a small garrison depending upon Newark; where they stayed some days; and from thence went to Belvoir-castle; from whence they sent one of their number to the parliament, "to desire leave, and passes, to go beyond the seas."

Besides the exceeding trouble and vexation that this action of his nephews, towards whom he had always expressed such tenderness and indulgence, gave the king, it broke the design he had for his present escape; which was not possible to be executed in that time; and Pointz and Rossiter drew every day nearer, and believed they had so encompassed him round, that it was not possible for him to get out of their hands. They had now besieged Shetford-house, a garrison belonging to Newark, and kept strong guards between that and Belvoir, and stronger towards Litchfield; which was the way they most suspected his majesty to incline to; so that the truth is, nothing but Providence could conduct him out of that labyrinth: but the king gave not himself over. He had fixed now his resolution for Oxford, and sent a trusty messenger thither with directions, that the horse of that garrison should be ready, upon a day he appointed, between Banbury and Daventry. Then, upon Monday, the third of November, early in the morning, he sent a gentleman to Belvoir-castle, to be informed of the true state of the rebels' quarters, and to advertise sir Gervas Lucas, the governor of that garrison of his majesty's design to march thither that night, with order that his troops and guides should be ready at such an hour; but with an express charge, "that he should not acquaint the princes, or any of their company, with it." And that gentleman being returned with very particular information, the resolution was taken "to march that very night," but not published till an hour after the shutting the ports. Then order was given, "that all should be ready in the market place, at ten of the clock;" and by that time the horse were all there, and were in number between four and five hundred, of the guards and of other loose regiments; they were all there put in order; and every man was placed in some troop; which done, about eleven of the clock, they began to march; the king himself in the head of his own troop marched in the middle of the whole body. By three of the clock in the morning they were at Belvoir; without the least interruption or alarm given. There sir Gervas Lucas, and his troop, with good guides were ready; and attended his majesty till the break of day; by which time he was past those quarters which he most apprehended; but he was still to march between their garrisons; and therefore made no delay, but marched all that day; and passed near Burleigh upon the hill, a garrison of the enemy, from whence some horse waited upon the rear, and took and killed some men, who either negligently stayed behind, or whose horses were tired. Towards the evening the king was so very weary and tired, that he was even compelled to rest and sleep for the space of four hours, in a village within eight miles of Northampton. At ten of the clock that night,

they begun to march again; and were, before day, the next morning past Daventry; and, before noon, came to Banbury; where the Oxford horse were ready, and waited upon his majesty, and conducted him safe to Oxford that day; and so he finished the most tedious and grievous march that ever king was exercised in, having been almost in perpetual motion from the loss of the battle of Naseby to this hour, with such a variety of dismal accidents as must have broken the spirits of any man who had not been the most magnanimous person in the world. At Oxford, the king found himself at rest and ease to revolve and reflect upon what was past, and to advise and consult of what was to be done, with persons of entire devotion to him, and of steady judgments; and presently after his coming thither, he writ that letter of the seventh of November; and, shortly after, the other of the seventh of December; both which are mentioned before, and set down at large.

The prince of Wales did not enjoy so much rest and ease in his quarters; for, upon the hurry of the retreat of the horse, which is mentioned before, and which indeed was full of confusion, very many of the trained bands of Cornwall broke loose, and run to their houses, pretending "they feared that the horse would go into that county, and plunder them;" for which fear they had the greater pretence, because, upon the retreat, many regiments had orders from the lord Wentworth to quarter in Cornwall; of which his highness was no sooner advertised, than he sent his orders positive, "that no one regiment of horse should be there, but that they should be all quartered on the Devon side." And upon that, they were dispersed about the county, for the space of thirty miles breadth, as if no enemy had been within two days' march of them. There were now drawn together, and to be engaged together in one action against the enemy, all the horse and foot of the lord Goring; the command whereof, the lord Wentworth challenged to himself by deputation; the horse and foot of sir Richard Greenvil; and the horse and foot of general Digby, neither of which acknowledged a superiority in the other, besides the guards; which nobody pretended to command but the lord Capel. When the prince removed from Tavistock, the raising the blockade from Plymouth was absolutely necessary, and it was concluded, as hath been said, at a council of war, "that it would be fit for his highness to remove to Launceston; whither the trained bands and the rest of the foot should likewise come, and the horse march on the Devonshire side, and quarter most conveniently in that county." The care of the retreat, and bringing the provisions from Tavistock, was committed to sir Richard Greenvil; which was performed by him so negligently, that besides the disorders which he suffered in Tavistock, by the soldiers, a great part of the magazine of victuals, and three or four hundred pair of shoes, were left there; and so lost. The day after the prince came to Launceston, sir Richard Greenvil writ a letter to him, wherein he represented "the impossibility of keeping that army together, or fighting with it in the condition it was then in;" told him, "that he had, the night before, sent directions to major general Harris," (who commanded the foot that came from Plymouth,) "to guard such a bridge; but that he returned him word, that he would receive orders from none but general Digby; that general Digby

said, that he would receive orders from none but his highness; that a party of the lord Wentworth's horse had the same night come into his quarters, where his troop of guards and his firelocks were; that neither submitting to the command of the other, they had fallen foul, and two or three men had been killed; that they continued still in the same place, drawn up one against another; that it was absolutely necessary his highness should constitute one superior officer, from whom all those independent officers might receive orders; without which, it would not be possible for that army to be kept together, or do service; that for his own part, he knew his severity and discipline had rendered him so odious to the lord Goring's horse, that they would sooner choose to serve the enemy, than receive orders from him;" therefore he desired his highness to constitute "the earl of Brentford, or the lord Hopton, to command in chief, and then he hoped, some good might be done against the enemy."

The mischief was more visible by much than a remedy; it was evident some action must be with the enemy within few days, and what inconvenience would flow from any alteration, at such a conjuncture of time, was not hard to guess, when both officer and soldier were desirous to take any occasion, and to find any excuse to lay down their arms; and it was plain, though there were very few who could do good, there were enough that could do hurt; besides, whoever was fit to undertake so great a trust and charge, would be very hardly entreated to take upon him the command of a disolute, undisciplined, wicked, beaten army, upon which he must engage his honour, and the hope of what was left, without having time to reform or instruct them. That which made the resolution easy was, that though there was little hope of doing good by any alteration in command, there was evident and demonstrable ruin attended no alteration; and they who were trusted might be accountable to the world, for not advising the prince to do that, which, how hopeless soever, only remained to be done.

And thereupon, on the fifteenth of January, his highness made an order, "that the lord Hopton should take the charge of the whole army upon him; and that the lord Wentworth should command all the horse, and sir Richard Greenvil the foot." It was a heavy imposition, I confess, upon the lord Hopton, (to the which nothing but the most abstracted duty and obedience could have submitted,) to take charge of those horse whom only their friends feared, and their enemies laughed at; being only terrible in plunder, and resolute in running away. Of all the trained bands of Cornwall, there were not three hundred left; and those, by some infusions from Greenvil and others, not so devoted to him as might have been expected. The rest of the foot (besides those who belonged to the lord Goring, which were two regiments of about four hundred) were the three regiments of about six hundred; which belonged to sir Richard Greenvil, and the officers of them entirely his creatures; and those belonging to general Digby, which were not above five hundred; to these were added (and were indeed the only men, except a small troop of his own under col. Rovill of horse and some foot, upon whose affection, courage, and duty he could rely; except some particular gentlemen, who could

only undertake for themselves) about two hundred and fifty foot, and eight hundred horse of the guards; who were commanded by the lord Capel, and entirely to receive orders from his lordship. The lord Capel, to encourage him to undertake that melancholy charge, promising to accompany him throughout the expedition, as he nobly did.

The lord Hopton very generously told the prince, "that it was a custom now, when men were not willing to submit to what they were enjoined, to say, that it was against their honour; that their honour would not suffer them to do this or that: for his part, he could not obey his highness at this time, without resolving to lose his honour, which he knew he must; but since his highness thought it necessary to command him, he was ready to obey him with the loss of his honour." Since the making of this order was concluded an act of absolute necessity, and the lord Hopton had so worthily submitted to it, it was positively resolved by his highness, "that it should be dutifully submitted to by all other men; or that the refusers should be exemplarily punished." There was not the least suspicion that sir Richard Greenvil would not willingly have submitted to it; but it was believed that the lord Wentworth, who had carried himself so high, and more insolently since his disorderly retreat than before, would have refused; which if he had done, it was resolved by the prince presently to have committed him, and to have desired the lord Capel to have taken the charge of the horse.

His highness sent sir Richard Greenvil a letter of thanks, "for the advice which he had given; and which, he said, he had followed, as by the enclosed order he might perceive; by which his highness had committed the care and charge of the whole army to the lord Hopton, appointing that the lord Wentworth should command all the horse, and sir Richard Greenvil all the foot, and both to receive orders from the lord Hopton:" no man imagining it possible that, besides that he had given the advice, he could have refused that charge, by which he was to have a greater command than ever he had before, and was to be commanded by none but by whom he had often been formerly commanded. But the next day after he received that letter and order, contrary to all expectation, he writ to his highness "to desire to be excused, in respect of his indisposition of health;" expressing, "that he could do him better service in getting up the soldiers who straggled in the country, and in suppressing malignants;" and at the same time writ to the lord Colepepper, "that he could not consent to be commanded by the lord Hopton." It plainly appeared now, that his drift was to stay behind, and command Cornwall; with which, considering the premises, the prince thought he had no reason to trust him. He sent for him therefore, and told him "the extreme ill consequence that would attend the public service, if he should then, and in such a manner, quit the charge his highness had committed to him; that more should not be expected from him than was agreeable to his health; and that if he took the command upon him, he should take what adjutants he pleased to assist him." But notwithstanding all that the prince could say to him, or such of his friends who thought they had interest in him, he continued

obstinate; and positively refused to take the charge, or to receive orders from the lord Hopton.

What should the prince have done? for besides the ill consequence of suffering himself to be in that manner contemned, at a time when the whole army was so indisposed, it was very evident, if Greenvil were at liberty, and the army once marched out of Cornwall, he would have put himself in the head of all the discontented party, and at least endeavoured to have hindered their retreat back into Cornwall, upon what occasion soever; and for the present that he would underhand have kept many from marching with the army, upon the senseless pretence of defending their own country. So that, upon full consideration, his highness thought fit to commit him to prison to the governor of Launceston; and, within two or three days after, sent him to the mount; where he remained till the enemy was possessed of the county; when his highness, that he might by no means fall into their hands, gave him leave to transport himself beyond the seas.

The lord Wentworth, though he seemed much surprised with the order when he heard it read at the board, and desired "time to consider of it till the next day, that he might confer with his officers;" yet, when the prince told him, "that he would not refer his acts to be scanned by the officers; but that he should give his positive answer, whether he would submit to it, or no; and then his highness knew what he had to do;" he only desired "to consider till the afternoon;" and then he submitted; and went that night out of town to his quarters; of which most men were not glad, but rather wished (since they knew he would never obey cheerfully) that he would have put the prince to have made further alterations; which yet would have been accompanied with hazard enough. By this time the intelligence was certain of the loss of Dartmouth, which added neither courage nor numbers to our men; and the importunity was such from Exeter for present relief, that there seemed even a necessity of attempting somewhat towards it, upon how great disadvantage soever; and therefore the lord Hopton resolved to march by the way of Chimley; that so, being between the enemy and Barnstable, he might borrow as many men out of the garrison, as could be spared; and so by strong parties at least to attempt upon their quarters. But it was likewise resolved, "that in respect of the smallness of the numbers, and the general indisposition, to say no worse, both in officer and soldier, it would not be fit for his highness to venture his own person with the army; but that he should retire to Truro, and reside there;" against which there were objections enough in view, which were however weighed down by greater.

He that had observed the temper of the gentry of that county towards sir Richard Greenvil, or the clamour of the common people against his oppression and tyranny, would not have believed, that such a necessary proceeding against him, at that time, could have been any unpopular act; there being scarce a day, in which some petition was not presented against him. As the prince passed through Bodmin, he received petitions from the wives of many substantial and honest men; amongst the rest, of the mayor of Listithiel; who was very eminently well affected and useful to the king's service; all whom Greenvil had committed to the

common gaol, for presuming to fish in that river ; the royalty of which he pretended belonged to him, by virtue of the sequestration, granted him by the king, of the lord Roberts's estate at Lanhetherick ; whereas they who were committed, pretended a title, and had always used the liberty of fishing in those waters, as tenants to the prince of his highness's manor of Listithiel ; there having been long suits between the lord Roberts and the tenants of that manor, for that royalty. When he came to Tavistock, he was again petitioned by many women for the liberty of their husbands, whom sir Richard had committed to prison, for refusing to grind at his mill, " which, he said, they were bound by the " custom to do." So by his martial power he had asserted whatever civil interest he thought fit to lay claim to ; and never discharged any man out of prison, till he absolutely submitted to his pleasure.

There were in the gaol at Launceston, at this time when himself was committed, at least thirty persons, constables and other men, whom he had committed, and imposed fines upon, some of three, four, and five hundred pounds, upon pretence of delinquency, (of which he was in no case a judge,) for the payment whereof they were detained in prison. Amongst the rest, was the mayor of St. Ives, one Hammond, who had then the reputation of an honest man ; and was certified to be such by colonel Robinson the governor, and by all the neighbouring gentlemen. After the late insurrection there, which is spoken of before, he had given his bond to sir Richard Greenvil, of five hundred pound, to produce a young man, who was then absent, and accused to be a favourer of that mutiny, within so many days. The time expired before the man could be found ; but within three days after the expiration of the term, the mayor sent the fellow to sir Richard Greenvil : but that would not satisfy ; but he sent his marshal for the mayor himself, and required fifty pound of him for having forfeited his bond, and upon his refusal forthwith to pay it, committed him to the gaol at Launceston. The son of the mayor presented a petition to the prince, at Truro, for his father's liberty, setting forth the matter of fact as it was, and annexing a very ample testimony of the good affection of the man. The petition was referred to sir Richard Greenvil, with direction, " that if the case were in " truth such, he should discharge him." As soon as the son brought this petition to him, he put it in his pocket ; told him, " the prince understood not " the business ;" and committed the son to gaol, and caused irons to be put upon him for his presumption. Upon a second petition to the prince, at Launceston, after the time that sir Richard himself was committed, he directed the lord Hopton, " upon examination of the truth of it, to discharge " the man ;" of which when sir Richard heard, he sent to the gaoler, and " forbade him, at his peril, " to discharge Hammond ;" threatening him " to " make him pay the money ;" and, after that, caused an action to be entered in the town-court at Launceston upon the forfeiture of the bond. Yet, after all this, he was no sooner committed by the prince, than even those who had complained of him as much as any, expressed great trouble ; and many officers of those forces which he had commanded, in a tumultuous manner, petitioned for his release ; and others took great pains to have the indisposition of the people, and the ill accidents that followed, imputed to that proceeding against

sir Richard Greenvil ; in which none were more forward, than some of the prince's own household servants ; who were so tender of him, that they forgot their duty to their master.

It was Friday the sixth of February, before the lord Hopton could move from Launceston, for want of carriages for their ammunition, and provision of victual. Neither had he then carriages for above half their little store, but relied upon the commissioners to send the remainder after ; and so went to Torrington ; where he resolved to fasten, till his provisions could be brought up, and he might receive certain intelligence of the motion and condition of the enemy. He had not continued there above four days, in which he had barricadoed, and made some little fastnesses about the town, when sir Thomas Fairfax advanced to Chimley, within eight miles of Torrington, with six thousand foot, three thousand five hundred horse, and five hundred dragoons ; of which so near advance of the enemy (notwithstanding all the strict orders for keeping of guards ; whereof one guard was, or was appointed to be, within two miles of Chimley) he had not known but by a lieutenant, who was accidentally plundering in those parts, and fell amongst them. So negligent and unfaithful were both officers and soldiers in their duty.

The lord Hopton having this intelligence of the strength and neighbourhood of the enemy, had his election of two things, either to retire into Cornwall, or to abide them where he was : the first, besides the disheartening of his men, seemed rather a deferring, than a preventing of any mischief that could befall him ; for he foresaw, if he brought that great body of horse into Cornwall, the few that remained of the trained bands would immediately dissolve, and run to their houses ; and the remainder of horse and foot, in a short time, be destroyed without an enemy. And therefore he rather chose, notwithstanding the great disadvantage of number in foot, to abide them in that place ; where, if the enemy should attempt him in so fast a quarter, he should defend himself with more advantage, than he could in any other place. And so he placed his guards, and appointed all men to their posts, having drawn in as many horse (such as on the sudden he could get) into the town, as he thought necessary ; the rest being ordered to stand on a common, at the east end of the town. But the enemy forced the barricado in one place by the baseness of the foot ; with which the horse in the town more basely received such a fright, that they could neither be made to charge, nor stand ; but, in perfect confusion, run away ; whose example all the foot upon the line, and at their other posts, followed ; leaving their general (who was hurt in the face with a pike, and his horse killed under him) with two or three gentlemen, to shift for themselves ; one of the officers publicly reporting, lest the soldiers should not make haste enough in running away, " that he saw their general run " through the body with a pike." The lord Hopton recovering a fresh horse, was compelled (being thus deserted by his men) to retire ; which he did, to the borders of Cornwall ; and stayed at Stratton two or three days, till about a thousand or twelve hundred of his foot came up to him. It was then in consultation, since there was no likelihood of making any stand against the enemy with such foot, and that it was visible that body of horse could not long subsist in Cornwall, whether the

horse might not break through to Oxford; which, in respect of their great weariness, having stood two or three days and nights in the field, and the enemy's strength being drawn up within two miles of them, was concluded to be impossible. Besides that there was at that time a confident assurance, by an express (sir D. Wyat) out of France, "of four or five thousand foot to come from thence within three weeks, or a month at farthest;" those letters, and the messenger, averring, "that most of the men were ready, when he came away."

The enemy advanced to Stratton, and so to Launceston; where Mr. Edgcomb, who had always pretended to be of the king's party, with his regiment of trained bands, joined with them; and the lord Hopton retired to Bodmin; the horse, officers and soldiers, notwithstanding all the strict orders, very negligently performing their duty; insomuch as the lord Hopton protested, "that, from the time he undertook the charge, to the hour of their dissolving, scarce a party or guard appeared with half the number appointed, or within two hours of the time;" and col. Goring's brigade, having the guard upon a down near Bodmin, drew off without orders, and without sending out a scout; insomuch as the whole gross of the rebels were at daytime marched within three miles, before the foot in Bodmin had any notice. So that the lord Hopton was instantly forced to draw off his foot and carriages westward; and kept the field that whole cold night, being the first of March; but could not, by all his orders diligently sent out, draw any considerable body of horse to him by the end of the next day; they having quartered themselves at pleasure over the country, many above twenty miles from Bodmin, and many running to the enemy; and others purposely staying in their quarters, till the enemy came to dispossess them.

When, by the disorders and distractions of the army, which are before set down, his highness was persuaded to make his own residence in Cornwall, he came to Truro on the 12th day of February; where he received a letter from the king, directed to those four of the council who had signed that to his majesty at Tavistock. This letter was dated at Oxford the 5th of February, and contained these words:

"Yours from Tavistock hath fully satisfied me, why my commands concerning prince Charles's going beyond sea were not obeyed. And I likewise agree with you in opinion, that he is not to go until there be an evident necessity; also approving very much of the steps whereby you mean to do it. But withal, I reiterate my commands to you for the prince's going over, whensoever there shall be a visible hazard of his falling into the rebels' hands. In the mean time, I like very well that he should be at the head of the army; and so much the rather, for what I shall now impart to you of my resolution, &c." And so proceeded in the communication of his own design of taking the field; which was afterwards frustrated by the defeat of my lord Astley, and the ill success in the west.

The prince having stayed some days at Truro, went to Pendennis; intending only to recreate himself for two or three days, and to quicken the works, which were well advanced; his highness having issued all the money he could procure, towards the finishing of them. But, in the very

morning that he meant to return to Truro, his army being then retired, and Fairfax at the edge of Cornwall, the lord Hopton and the lord Capel sent advertisements, "that they had severally received intelligence of a design to seize the person of the prince; and that many persons of quality of the country were privy to it." Hereupon the prince thought it most convenient to stay where he was, and so returned no more to Truro. The time of apparent danger was now in view, and if there were in truth any design of seizing the prince's person, they had reason to believe that some of his own servants were not strangers to it. The lords Capel and Hopton being at the army; only the prince, the lord Colepepper, and the chancellor of the exchequer, knew the king's pleasure, and what was to be done. And they two had no confidence, that they should have reputation enough to go through with it; the earl of Berkshire continuing very indisposed and jealous of France, whatever they discoursed to the contrary: the governor of the castle was old and fearful, and not resolute enough to be trusted; and his son, though a gallant gentleman, and worthy of any trust, had little credit with his father.

There was no letter from the king (though they had long before desired such a one, and proposed the form) fit to be publicly shewed, in which there were not some clauses which would have been applied to his majesty's disservice; especially if he should have been at London, which was then confidently averred by some, who swore "they met him at Uxbridge." Therefore they concluded, "that the prince's going away must be the effect of counsel upon necessity, and the appearance of danger to his person, without any mention of the king's command." But how to procure this resolution from the council was the difficulty. They very well knew the lords' minds who were absent, but durst not own that knowledge, lest the design might be more suspected. In the end, having advised Baldwin Wake, to cause the frigate belonging to Hasdunck, and the other ships, to be ready upon an hour's warning; they proposed in council, when the lords Berkshire and Brentford were present, "to send Mr. Fanshaw to the army, to receive opinion and advice of the lords that were there, what was best to be done with reference to the person of the prince, and whether it were fit to hazard himself in Pendennis;" which was accordingly done. And their lordships, according to the former agreement between them, returned their advice, "that it was not fit to adventure his highness in that castle, (which would not only not preserve his person, but probably, by his stay there, might be lost; which by his absence might defend itself,) and that he should remove to Jersey or Scilly." Which, upon Mr. Fanshaw's report, was unanimously consented to by the whole council.

But because Jersey had such a neighbourhood to France, and so might give the greater umbrage, and that Scilly was a part of Cornwall, and was by them all conceived a place of unquestionable strength, the public resolution was for Scilly, it being in their power, when they were at sea, to go for Jersey, if the wind was fair for one, and cross to the other. And so the resolution being imparted to no more that night, than was of absolute necessity, (for we apprehended clamour from the army,

from the country, and from that garrison in whose power the prince was,) the next morning, being Monday, the second of March, after the news was come that the army was retiring from Bodmin, and the enemy marching furiously after, and so men were sufficiently awakened with the apprehension of the prince's safety; the governor and his son were called into the council, and made acquainted with the prince's resolution, "that night to embark himself for Scilly, being a part of Cornwall; from whence, by such aids and relief, as he hoped he should procure from France and foreign parts, he should be best able to relieve them." And accordingly, that night, about ten of the clock, he put himself on board; and on Wednesday in the afternoon by God's blessing arrived safe in Scilly; from whence, within two days, the lord Colepepper was sent into France, to acquaint the queen "with his highness's being at Scilly; with the wants and incommunities of that place; and to desire supply of men and monies for the defence thereof, and the support of his own person;" it being agreed in council, before the lord Colepepper's going from Scilly, "that if, upon advancement of the parliament fleet, or any other apparent danger, his highness should have cause to suspect the security of his person there," (the strength of the place in no degree answering their expectation, or the fame of it,) "he would immediately embark himself in the same frigate," (which attended there,) "and go to Jersey."

When the lord Hopton found that he could put no restraint to the license of the soldiers, he called a council of war to consider what was to be done. The principal officers of horse were so far from considering some means to put their men in order, and heart to face the enemy, that they declared in plain English, "that their men would never be brought to fight;" and therefore proposed positively "to send for a treaty:" from which not one officer dissented, except only major general Web, who always professed against it. The lord Hopton told them, "it was a thing he could not consent to without express leave from the prince, (who was then at Pendennis-castle,) to whom he would immediately despatch away an express;" hoping that, by that delay, he should be able to recover the officers to another resolution; or that, by the advance of the enemy, they would be compelled to fight. But they continued their importunity, and at last (no doubt by the advice of our own men; for many, both officers and soldiers, went every day in to them) a trumpet arrived from sir Thomas Fairfax with a letter to the lord Hopton, offering a treaty, and making some propositions to the officers and soldiers. His lordship communicated not this letter to above one or two, of principal trust; conceiving it not fit, in that disorder and dejectedness, to make it public. Hereupon, all the principal officers assemble together, (except the major general, [Web,]) and expressing much discontent that they might not see the letter, declare peremptorily to the lord Hopton, "that if he would not consent to it, they were resolved to treat themselves." And from this time they neither kept guards, nor performed any duty; their horse every day mingling with those of the enemy, without any act of hostility. In this strait, the lord Hopton having sent his ammunition and foot into Pendennis, and the Mount, and declared, "that he

"would neither treat for himself nor the garrison," he gave the horse leave to treat; and thereupon those articles were concluded, by which that body of horse was dissolved; and himself and the lord Capel, with the first wind, went from the Mount to Scilly, to attend his highness; who was gone thither from Pendennis-castle, after the enemy's whole army was entered Cornwall.

Having left the prince in Scilly, so near the end of that ill year 1645, (for it was upon the three and twentieth of March,) that there will be no more occasion of mentioning him till the next year, and being now to leave Cornwall, it will be necessary to inform the reader of one particular. It is at large set down, in the former book, what proceedings there had been at Oxford against duke Hamilton; and how he had been first sent prisoner to Bristol, and from thence to Pendennis-castle in Cornwall. And since we shall hereafter find him acting a great part for the king, and general in the head of a great army, it would be very incongruous, after having spent so much time in Cornwall without so much as naming him, to leave men ignorant what became of him, and how he obtained his liberty; which he employed afterwards with so much zeal for the king's service to the loss of his life; by which he was not only vindicated, in the opinion of many honest men, from all those jealousies and aspersions, he had long suffered under; but the proceeding that had been against him, was looked upon by many as void of that justice and policy, which had been requisite; and they concluded by what he did after a long imprisonment, how much he might have done more successfully, if he had never been restrained. Without doubt, what he did afterwards, and what he suffered, ought to free his memory from any reproaches for any errors, or weakness, of which he had before been guilty. What were the motives and inducements of his commitment, have been at large set down before in the proper place. It remains now, only to set down how he came at last to be possessed of his liberty, and why he obtained it no sooner, by other more gracious ways; which might have been an obligation upon him; when it might easily have been foreseen, that he would be, in a short time, at liberty, notwithstanding any opposition.

When the prince first visited Cornwall, to settle his own revenue of that duchy; which was the only support he had, and out of which he provided for the carrying on the king's service, upon many emergent occasions; he spent some days at Truro, to settle his imposition upon the tin, by virtue of his ancient privilege of preemption. And in that time, which was about the end of July, the governor of Pendennis-castle invited him to dine there; which his highness willingly accepted, that he might take a full view of the situation and strength thereof; having it then in his view, that he might probably be compelled to resort thither. Every man knew well that duke Hamilton was then a prisoner there, and therefore it was to be considered, what the prince was to do, if the duke should desire, as without doubt he would, to kiss his hand. And it was resolved without dispute, "that the prince was not to admit such a person into his presence, who stood so much in his father's displeasure, and was committed to prisoner by him; and that none of the council, or of his highness's servants, should visit, or enter

"into any kind of correspondence with him." And thereupon the governor was advised, in regard the accommodations in the castle were very narrow, "that, during the time the prince was in the castle, the duke should be removed out of his chamber into one of the soldiers' houses;" which was done accordingly. This the duke took very heavily, and lamented "that he might not be admitted to see the prince;" and had a desire to have conferred with the lord Colepepper, or the chancellor, which they were not then at liberty to have satisfied him in. And he afterwards renewed the same desire to them both, by his servant Mr. Hamilton. Hereupon, when the chancellor was shortly after sent to visit the ports of Padstow, the Mount, and Pendennis, which was about the middle of August, (the business being, under that disguise, to provide for the prince's transportation, when it should be necessary,) the prince referred it to him "to see the duke, if he found it convenient." Hereupon, when he came to Pendennis, (being in the afternoon, and to stay there necessarily some days,) he was informed, "that the duke came always abroad to meals, and that at that time all men spoke freely with him;" so that, either he was to be made a close prisoner by his being there, or they were to meet at supper and dinner. And the governor then asked him, "whether the duke should come abroad." The chancellor had neither authority nor reason to make any alteration; therefore he told him, "he knew his own course, which he presumed he would observe whoever came; and that if the duke pleased, he would wait upon him in his chamber, to kiss his hands before supper;" the which he did.

When the duke, after some civilities to him whom he had long known, and some reproaches to the governor, who was present, "of his very strict usage and carriage towards him;" which, he said, he believed he could not justify, (whereas the chancellor well knew, that the governor was absolutely governed by him,) spoke to him of his own condition, and of "his misfortune to fall into his majesty's displeasure, without having given him any offence." He told him, "that he had very much desired to speak with him, that he might make a proposition to him, which he thought for the king's service; and he desired, if it seemed so to him, that he would find means to recommend it to his majesty, and to procure his acceptance of it." Then he told him, "that he was an absolute stranger to the affairs of both kingdoms, having no other intelligence, than what he received from gentlemen whom he met in the next room at dinner; but he believed, by his majesty's late loss at Naseby, that his condition in England was very much worse than his servants hoped it would have been; and therefore, that it might concern him to transact his business in Scotland as soon as might be: that he knew not in what state the lord Mountrose was in that kingdom, but he was persuaded that he was not without opposition." He said, "he was confident that if he himself had his liberty, he could do the king considerable service, and either incline that nation powerfully to mediate a peace in England, or positively to declare for the king, and join with Mountrose." He said, "he knew, it was believed by many, that the animosity was so great from him to Mountrose, who indeed had done him very causeless

"injuries, that he would rather meditate revenge than concur with him in any action: but, he said, he too well understood his own danger, if the king and monarchy were destroyed in this kingdom, to think of private contention and matters of revenge, when the public was so much at stake. And he must acknowledge, how unjust soever the lord Mountrose had been to him, he had done the king great service;" and therefore protested with many execrations, "he should join with him in the king's behalf, as with a brother; and if he could not win his own brother from the other party, he would be as much against him." He said, "he could not apprehend that his liberty could be any way prejudicial to the king; for he would be a prisoner still upon his parole; and would engage his honour, that if he found he could not be able to do his majesty that acceptable service which he desired, (of which he had not the least doubt,) he would speedily return, and render himself a prisoner again in the place where he then was." In this discourse he made very great professions, and expressions of his devotion to the king's service, of his obligations to him, and of the great confidence he had, in this particular, of being useful to his majesty.

After he made some pause, in expectation of what the chancellor would say, the chancellor told him, "he doubted not but he was very able to serve the king both in that and in this kingdom; there being very many in both who had a principal dependence upon him: that he heard the king was making some propositions to the Scottish army in England, and that it would be a great instance of his affection and fidelity to the king, if by any message from him to his friends and dependents in the Scottish army then before Hereford, or to his friends in Scotland, his brother being the head or prime person of power there that opposed Mountrose, they should declare for the king, or appear willing to do him service; and that he having free liberty to send, through the parliament's army, to London, or into Scotland, he might as soon do the king this service, as receive a warrant for his enlargement; which, he presumed, he knew could not be granted but by the king himself."

The duke replied, "that he expected that answer, but that it was not possible for him to do any thing by message or letter, or any way but by his presence: first, that they, in whom he had interest, would look upon any thing he should write, or any message he should send, as the result of distress and compulsion, not of his affection or judgment. Besides, he said, he looked upon himself as very odious to that nation, which was irreconciled to him for his zeal to the king, and thought this a just judgment of God upon him for not adhering to them. And, he said, for his own brother, who he heard indeed had the greatest influence upon their counsels, he had no reason to be confident in him, at that distance; for, besides the extreme injury he had done him, in making an escape from Oxford, by which both their innocencies were made to be suspected, and for which he should never forgive him, he was the heir of the house and family; and, he believed, would be well content that himself should grow old and die in prison: whereas, if he were at liberty, and



"amongst them, he was confident some for love, and others for fear, would stick to him; and he should easily make it appear to those who were fiercest against the king, that it concerned their own interest to support the king in his just power. However, he concluded, that the worst that could come was his returning to prison, which he would not fail to do." So the discourse ended for that night.

The next day the duke entered again into the same argument, with much earnestness, that the chancellor would interpose, upon that ground, for his liberty; who told him, "that he was so ill a courtier, that he could not dissemble to him: that he was not satisfied with his reasons, and could not but believe, he had interest enough, at that distance, to make some real demonstration of his affection to the king, by the impression he might make upon his dependents and allies: and therefore that he could not offer any advice to the king, to the purpose he desired." He told him, "that he had been present at the council table when the king communicated that business, which concerned him, to the board; and that he gave his opinion fully, and earnestly, for his commitment; being satisfied, upon the information that was given concerning him, that his affection to the king was very questionable; and that it appeared, that he had been earnestly pressed by those persons of honour in that kingdom, upon whom his majesty relied, to declare himself; and that if he could have been induced so to do, having promised the king he would, and having authority to that purpose from him, they might very easily have suppressed that rebellion in the bud: but that his lordship and his brother were so far from opposing it, that the very proclamation which had issued out there for the general insurrection (which proclamation was perused at council table, when he was committed) was not only set forth in his majesty's own name, but sealed with his signet; which was then in the custody of the earl of Lanrick his brother, he being secretary of state in that kingdom. That those who were the principal informers against him, and who professed that they could do no service, if he were at liberty, since his restraint, being armed with no more authority than he had, at his last being there, when the kingdom was in peace, had, upon all disadvantages imaginable, when that kingdom was totally lost to the king, reduced the greatest part of it again to his obedience; and therefore, whether it was his lordship's misfortune, or his fault, since things prospered so well in his absence, he could not, as a counsellor, advise the king, without the privacy and consent of the lord Mountrose, or without some such testimony of his service, as he had before proposed, to give him his liberty: and that any ill success, which possibly might have no relation to that act, would yet be imputed to that counsel; and the lord Mountrose have at least a just or probable excuse, for any thing that should happen amiss."

The duke thanked him for the freedom he had used towards him; and said, "upon the information which was given against him, he must acknowledge the proceedings to be very just; but he was confident, whenever he should be admitted to a fair hearing, he should appear very

"innocent from the allegations which had been given." He said, "he had never made the least promise to the king, which he had not exactly performed; that he had not authority or power to cross any thing that was done to the prejudice of the king; and therefore to have made any such attempt, or declaration, as some lords had desired, in that conjuncture of time, had been to have destroyed themselves to no purpose; and therefore, he made haste to the king with such propositions and overtures, that he was confident, if he had been admitted to have spoken with his majesty, at his coming to Oxford, he should have given good satisfaction; and then intended immediately to have returned into Scotland, with such authority and countenance, as the king could well have given him; and doubted not but to have prevented any inconveniences from that kingdom: but that by his imprisonment (which he could have prevented, for he had notice upon his journey, what was intended, and trusted so much in his innocence, that he would not avoid it) all those designs failed. For his brother, he could say nothing; but he believed him an honest man; and for the proceedings of the lord Mountrose, though he had received good assistance from Ireland, which was a good foundation, he could not but say, it had been little less than miraculous: however, he presumed the work was not so near done there, but that his assistance might be very seasonable." After this they spoke often together; but this was the substance and result of all; he insisting upon his present liberty, and the other as pressing, that he would write to his friends. Yet the chancellor promised him "to present, by the first convenience, his suit and proposition to the king;" which he shortly after did in a letter to the lord Digby.

Upon the first news of the loss of the battle of Naseby, it was enough foreseen, that the prince himself might be put to a retreat to Pendennis-castle. And therefore they wished, "that it might be in the prince's power, upon an emergent occasion, to remove the duke from that place." Which consideration the lord Colepepper presented to the king, at his being with him in Wales; and thereupon a warrant was sent from the king, for the removal of the duke to Scilly; which was likewise foreseen that the prince might repair to. As the enemy drew nearer the west, many good men were very solicitous, that the duke should be removed from Pendennis, having a great jealousy of the interest he had in the governor; of which there was so universal a suspicion, that many letters were writ to the council, "that if he were not speedily disposed to some other place, they feared the castle would be betrayed:" and sir Richard Greenville writ earnestly to the prince about it, and sir Harry Killigrew (a person of entire affections to the king, and a true friend of the governor) very importunately. So that about the month of November, the king's warrant for his removal was sent to sir Arthur Basset, governor of the Mount; who went to Pendennis in the morning, and took him with him to the Mount, in order to remove him to Scilly, when the time should require it; the duke expressing great trouble and discontent that he should be removed, and pretending, "that he could not ride for the stone," (of which he complained so much, that he had petitioned the



king for leave to go into France to be cut,) and the governor, and all that family and garrison, made show of no less grief to part with him, he having begotten a great opinion in that people of his integrity and innocence. And when the duke saw there was no remedy, he mounted a horse that was provided for him, and passed the journey very well.

After the loss of Dartmouth, some persons of near trust about the prince resumed the discourse again of enlarging the duke, and believed that he would be able to do the king great service in the business of Scotland; and this prevailed so far with one of the lords of the council, that, upon the confidence of Dr. Frazier, the prince's physician, he made a journey with the doctor to the Mount; and did think, that he had so much prevailed with the duke, that he had consented "to send a servant speedily to the Scottish army in England, (who should likewise pass by the king, and carry any letters to his majesty from the prince,) to persuade them to comply with the king; and that he would likewise despatch Charles Murray into Scotland, instructed to his brother Lanrick, and that party, to oblige them to join with Mountrose." But Dr. Frazier confessed to those he trusted, "that the duke rather consented to it to satisfy that lord's vehemence and importunity, than that he had any great hope of success by it; insisting still, that nothing but his own liberty would do it:" for which he gave a reason, that before had never been heard of, and was very contrary to what the duke had said to the chancellor, which was, "that the state of Scotland was so sensible of the injury done to the duke by his imprisonment, (which he had said before that they were very glad of,) that they had made an order, that there should never be a treaty with the king, or agreeing with Mountrose, till he was at liberty, or brought to a legal trial." And when Charles Murray went to him for his instructions, though he said much for him to say again to his friends, and his brother, towards their declaring for the king, he discouraged him much as to the journey, representing to him "his own danger, and the strict orders that were in Scotland against divisive motions: of which, he said, he feared this would be taken for one."

This made the council to have no mind to be engaged in any treaty with him, and less in proposing or consenting to his liberty; not only upon the former knowledge they had of his disposition and nature, in which they had no confidence, but also that they believed, if he were not sincere, he would do much mischief; and the more for being in any degree trusted; if he were sincere, that he would be able to do more good for the king, by being redeemed out of prison by the enemy, than by being released by the king or prince. And therefore, when the prince removed in that haste and disorder from Pendennis to Scilly, there could be no possibility of stirring him; so that, at the surrender of the Mount, which was, by his advice, much sooner than they had reason to do it, when they were able to defend themselves for many months, he was enlarged, and removed himself to London by speedy journeys on horseback; and did never after complain of the stone; which he before protested "would kill him, if he were not cut within a year."

We left the king in Oxford, free from the trouble and uneasiness of those perpetual and wandering marches, in which he had been so many months exercised; and quiet from all rude and insolent provocations. He was now amongst his true and faithful counsellors and servants, whose affection and loyalty had first engaged them in his service, and which stuck to him to the end; and who, if they were not able to give him assistance, to stem that mighty torrent that overbore both him and them, paid him still the duty that was due to him, and gave him no vexation when they could not give him comfort. There were yet some garrisons which remained in his obedience, which were like, during the winter season, to be preserved from any attempt of the enemy. But upon the approach of spring, if the king should be without an army in the field, the fate of those few places was easy to be discerned. And which way an army could possibly be brought together, or where it should be raised, was not within the compass of the wisest man's comprehension. However, the more difficult it was, the more vigour was to be applied in the attempt. Worcester, as it was neighbouring to Wales, had the greatest outlet and elbow-room; and the parliament party that had gotten any footing there, behaved themselves with that insolence and tyranny, that even they who had called them thither, were weary of them, and ready to enter into any combination to destroy them. Upon this prospect, and some invitation, the king sent the lord Astley (whom he had before, at his being at Cardiff, constituted governor of those parts, in the place of the lord Gerrard) to Worcester, with order "to proceed, as he should find himself able, towards the gathering a body of horse together, against the spring, from those garrisons which were left, and from Wales:" and what progress he made towards it will be part of the sad account which belongs to the next year.

When a full prospect, upon the most mature deliberation, was taken of all the hopes which might with any colour of reason be entertained; all that occurred, appeared so hopeless and desperate, that it was thought fit to resort to an old expedient, that had been found as desperate as any; which was a new overture for a treaty of peace: for which they who advised it had no other reason, but that they could not tell what else to do. Cromwell had left Fairfax about Exeter, and with a party selected had set down before Basing, and his imperious summons having been rejected, he stormed the place and took it, and put most of the garrison to the sword: which so terrified other places, that Winchester shortly after rendered upon easy conditions. The lesser garrisons in the north, which had stood out till now, were rendered every day; and the Scottish army, which had marched as far as their own borders, was called back, and required to besiege Newark. So that whoever thought the sending to the parliament (puffed up and swoln with so many successes) for a peace, would prove to no purpose, was not yet able to tell, what was like to prove to better purpose. And this reflection alone prevailed with the king, who had enough experimented those inclinations, to refer entirely to the council, "to choose any

"expedient, they thought most probable to succeed, and to prepare any message they would advise his majesty to send to the parliament." And when they had considered it, the overtures he had already made, by two several messages, to which he had received no answer, were so ample, that they knew not what addition to make to them; but concluded, "that this message should contain nothing but a resentment of that, and a demand of an answer to the messages his majesty had formerly sent for a treaty of peace."

And this message had the same entertainment which the former had received. It was received, read, and then laid aside without any debate; which they who wished well to it, had not credit or courage to advance; yet still found means to convey their advice to Oxford, "that the king should not give over that importunity;" and they who had little hopes of better effects from it, were yet of opinion, "that the neglecting those gracious invitations, made by his majesty for peace, would shortly make the parliament so odious, that they would not dare long to continue in the same obstinacy." The Scots were grieved and enraged, to see their idol presbytery so undervalued and slighted, that besides the Independents' power in the city, their very Assembly of Divines every day lost credit and authority to support it; and desired nothing more than a treaty for peace: and many others who had contributed most to the suppression of the king's power, were now much more afraid of their own army, than ever they had been of his authority; and believed, that if a treaty were once set on foot, it would not be in the power of the most violent to render it ineffectual: and whatever they believed themselves, they conveyed this to some about the king, as the concurrent advice of all who pretended to wish well: and some men took upon them to send the subject of what message the king should send, and clothed in such expressions, as they conceived were like to gain ground; which his majesty could not but graciously accept, though he very seldom imitated their style.

After the king had long expected an answer to his last message, induced by those and the like reasons above mentioned, he sent again to the parliament, "that they would send a safe conduct for the duke of Richmond, and the earl of Southampton, Mr. John Ashburnham, and Mr. Geoffrey Palmer; by whom he would make such particular propositions to them as he hoped would produce a peace." To this they returned an answer, such as it was, "that it would be inconvenient, and might be of dangerous consequence, to admit those lords and gentlemen to come into their quarters; but that they were preparing some propositions, which, when finished, should be sent to his majesty in bills, to be signed by him; which would be the only way to produce a peace." The king understood well what such bills would contain, and which when he had granted, he should have nothing left to deny; and therefore liked not, that such conclusions should be made without a treaty. He resolved once more to try another way, which having been never yet tried, he believed they could not deny; and if granted, what hazard soever his person

should be in, he should discover, whether he had so many friends in the parliament and the city, as many men would persuade him to conclude; and whether the Scots had ever a thought of doing him service. He sent to them, towards the end of December, "that since all other overtures had proved ineffectual, he desired to enter into a personal treaty with the two houses of parliament at Westminster, and the commissioners of the parliament of Scotland, upon all matters which might conduce to the peace and happiness of the distracted kingdoms; and to that purpose his majesty would come to London, or Westminster, with such of his servants as now attended him, and their followers, not exceeding in the whole the number of three hundred persons, if he might have the engagement of the two houses of parliament, the commissioners of the parliament of Scotland, of the chief commanders in sir Thomas Fairfax's army, and of those of the Scottish army, for his free and safe coming to and abode in London, or Westminster, for the space of forty days; and after that time, for his free and safe repair to Oxford, Worcester, or Newark, if a peace should not be concluded: and for their better encouragement to hope well from this treaty, his majesty offered to settle the militia in such persons as should be acceptable to them."

This message indeed awakened them, and made them believe that the gamesters who were to play this game, looked into their hands, and hoped to find a party in their own quarters; and that, if they should neglect to send an answer to this message, their silence might be taken for consent, and that they should quickly hear the king was in London; which they did not wish. They made thereupon more than ordinary haste, to let his majesty know, "that there had been no delay on their parts; but for the personal treaty desired by his majesty, after so much innocent blood shed in the war by his commands and commissions," (with the mention of many other odious particulars,) "they conceived, that until satisfaction and security were first given to both kingdoms, his majesty's coming thither could not be convenient, nor by them assented to; nor did they apprehend it a means conducing to peace, to accept of a treaty for few days, with any thoughts or intentions of returning to hostility again." They observed, "that his majesty desired the engagement, not only of the parliament, but of the chief commanders in sir Thomas Fairfax's army, and those of the Scottish army; which, they said, was against the privilege and honour of parliament, to have those joined with them, who were subject and subordinate to their authority." They renewed what they had said in their last answer, "that they would shortly send some bills to his majesty, the signing of which would be the best way to procure a good and a safe peace."

And though the king was not willing to acquiesce with this stubborn rejection, but sent message upon message still to them for a better answer, and at last offered "to dismantle all his garrisons, and to come to and reside with his parliament, if all they who had adhered to

"him might be at liberty to live in their own houses, and to enjoy their own estates, without being obliged to take any oaths, but what where enjoined by the law;" he could never procure any other answer from them. And lest all this should not appear affront enough, they published an ordinance, as they called it, "that if the king should, contrary to the advice of the parliament already given to him, come, or attempt to come, within the lines of communication, that then the committee of the militia should raise such forces as they should think fit, to prevent any tumult that might arise by his coming, and to suppress any that should happen; and to apprehend any who should come with him, or resort to him; and to secure his person from danger:" which was an expression they were not ashamed always to use, when there was no danger that threatened him, but what themselves contrived, and designed against him. To this their ordinance they added another injunction, "that all who had ever borne arms for his majesty" (whereof very many upon the surrender of garrisons, and liberty granted to them, by their articles upon those surrenders, were come thither) "should immediately depart, and go out of London, upon penalty of being proceeded against as spies." So that all doors being, in this obstinate manner, shut against a treaty, all thoughts of that, at least with reference to the parliament, were laid aside; and all endeavours used to gather such a power together, as might make them see that his majesty was not out of all possibility of being yet able to defend himself.

Though all hopes, as I said, were desperate of any treaty with the parliament, and consequently many hazards were to be run, in the contriving a peace any other way; yet the sustaining the war, with any probability of success, was the next desirable thing to a peace, and preferable before any such peace, as was reasonably to be hoped for from the party that governed the army, which governed the parliament. The king therefore used all the means which occurred to him, or which were advised and proposed by others, to divide the independent party; and to prevail with some principal persons of them, to find their content and satisfaction in advancing the king's interest. That party comprehended many who were neither enemies to the state, or to the church, but desired heartily that a peace might be established upon the foundations of both, so their own particular ambitions might be complied with. And to them the king thought he might be able to propose very valuable compensations for any service they could do him; and the power of the presbyterians, as they were in conjunction with the Scots, seemed no unnatural argument to work upon those, who professed to be swayed by matter of conscience in religion: since it was out of all question, that they should never find the least satisfaction to their scruples and their principles in church government, from those who pretended to erect the kingdom of Jesus Christ. And it was thought to be no ill presage towards the repairing of the fabric of the church of England, that its two mortal enemies, who had exposed it to so much persecution and oppression, hated each other as mortally, and laboured each other's destruction, with the same fury and zeal they

had both proscribed her. And this reasonable imagination very much disposed the king, who was well acquainted with the unruly spirit and malice of the presbytery, to think it possible that he might receive some benefit from the independents; who were a faction newly grown up, and with which he was utterly unacquainted: and his majesty's extraordinary affection for the church made him the less weigh and consider the incompatibility and irreconcilableness of that faction with the government of the state; of which, it may be, he was the less sensible, because he thought nothing more impossible, than that the English nation should submit to any other than monarchical government. Then there were an over-active and busy kind of men, who still undertook to make overtures as agreeable to the wish of some principal leaders of that party, and as with their authority, and so prevailed with the king, to suffer some persons of credit near him, to make some propositions, in his name, to particular persons. And it is very probable, that as the same men made the expectations of those people appear to the king much more reasonable and moderate, than in truth they were, so they persuaded the others to believe, that his majesty would yield to many more important concessions, than he would ever be induced to grant. And so either side had, in a short time, a clear view into each other's intentions, and quickly gave over any expectation of benefit that way; save that the independents were willing, that the king should cherish the hopes of their compliance, and the king as willing that they should believe that his majesty might be prevailed with to grant more, than at first he appeared resolved to do.

The truth is, though that party was most prevalent in the parliament, and comprehended all the superior officers of the army, (the general only excepted; who thought himself a presbyterian,) yet there were only three men, Vane, Cromwell, and Ireton, who governed and disposed all the rest according to their sentiments; and without doubt they had not yet published their dark designs to many of their own party, nor would their party, at that time, have been so numerous and considerable, if they had known, or but imagined, that they had entertained those thoughts of heart, which they grew every day less tender to conceal, and forward enough to discover.

But there was another intrigue now set on foot, with much more probability of success, both in respect of the thing itself, and the circumstances with which it came accompanied; and that was a treaty with the Scots, by the interposition and mediation of the crown of France; which, to that purpose at this time, sent an envoy, one Montrevil, to London; with some formal address to the parliament, but intentionally to negotiate between the king and the Scots; whose agent at Paris had given encouragement to the queen of England, then there, to hope that that nation would return to their duty; and the queen regent, in the great generosity of her heart, did really desire to contribute all that was in her power to the king's recovery. And to that purpose, she sent Montrevil at this time with credentials to the king, as well as to the parliament; by which the queen had opportunity to communicate her advice to the king her husband; and the envoy had authority "to en-

"gage the faith of France, for the performance "of whatsoever the king should promise to the "Scots."

This was the first instance, and it will appear a very sorry one, that any sovereign prince gave, of wishing a reconciliation, or to put a period to the civil war in his majesty's dominions; towards the contrivance whereof, and the frequent fomenting it, too many of them contributed too much. The old mistaken and unhappy maxim, "that the crown "of England could balance the differences which "fell out between the princes of Europe, by its "inclining to either party," had made the ministers of that state too negligent in cultivating the affections of their neighbours by any real obligations; as if they were to be arbiters only in the differences which fell out between others, without being themselves liable to any impression of adverse fortune. This made the unexpected calamity that befell this kingdom not ingrateful to its neighbours on all sides; who were willing to see it weakened and chastised by its own strokes.

Cardinal Richelieu, out of the natural haughtiness of his own nature, and immoderate appetite to do mischief, under the disguise of being jealous of the honour of his master, had discovered an implacable hatred against the English, from that unhappy provocation by the invasion of the Isle of Rhé, and the declared protection of Rochelle; and took the first opportunity, from the indisposition and murmurs of Scotland, to warm that people into rebellion, and saw the poison thereof prosper, and spread to his own wish; which he fomented by the French ambassador in the parliament, with all the venom of his heart; as hath been mentioned before. As he had not unwisely driven the queen mother out of France, or rather kept her from returning, when she had unadvisedly withdrawn herself from thence, so he was as vigilant to keep her daughter, the queen of England, from coming thither; which she resolved to have done, when she carried the princess royal into Holland; in hope to work upon the king her brother, to make such a seasonable declaration against the rebels of England and Scotland, as might terrify them from the farther prosecution of their wicked purposes. But it was made known to her, "that "her presence would not be acceptable in France;" and so, for the present, that enterprise was declined.

But that great cardinal being now dead, and the king himself within a short time after, the administration of the affairs of that kingdom, in the infancy of the king, and under his mother, the queen regent, was committed to cardinal Mazarine, an Italian by birth, and subject to the king of Spain, and raised by Richelieu to the degree of a cardinal, for his great dexterity in putting Casal into the hands of France, when the Spaniard had given it up to him, as the nuncio of the pope, and in trust that it should remain in the possession of his holiness, till the title of the duke of Mantua should be determined. This cardinal was a man rather of different than contrary parts from his predecessor; and fitter to build upon the foundations which he had laid, than to have laid those foundations; and to cultivate, by artifice, dexterity, and dissimulation, (in which his nature and parts excelled,) what the other had begun with great resolution and vigour, and even gone through with invincible constancy and courage. So that, the one having broken the heart of all opposition and con-

tradition to the crown, by the cutting off the head of the duke of Montmorency, and reducing monsieur, the brother of the king, to the most tame submission, and incapacity of fomenting another rebellion, it was very easy for the other, to find a compliance from all men, who were sufficiently terrified from any contradiction. So that how great things soever this last minister performed for the service of that crown, during the minority of the king, they may all, in justice, be imputed to the prudence and providence of cardinal Richelieu; who had reduced and disposed the whole nation to an entire subjection and submission to what should be imposed upon them.

Cardinal Mazarine, when he came first to that great ministry, was without any personal animosity against the person of the king, or the English nation; and was no otherwise delighted with the distraction and confusion they were both involved in, than as it disabled the whole people from making such a conjunction with the Spaniard, as might make the prosecution of that war (upon which his whole heart was set) the more difficult to him; which he had the more reason to apprehend by the residence of don Alonso de Cardenas, ambassador from the king of Spain, still at London, making all addresses to the parliament. When the queen had been compelled in the last year, upon the advance of the earl of Essex into the west, to transport herself out of Cornwall into France, she had found there as good a reception as she could expect; and received as many expressions of kindness from the queen regent, and as ample promises from the cardinal, as she could wish. So that she promised herself a very good effect from her journey; and did procure from him such a present supply of arms and ammunition, as, though of no great value in itself, she was willing to interpret, as a good evidence of the reality of his intentions. But the cardinal did not yet think the king's condition low enough; and rather desired, by administering little and ordinary supplies, to enable him to continue the struggle, than to see him victorious over his enemies; when he might more remember, how slender aid he had received, than that he had been assisted; and might make himself arbiter of the peace between the two crowns. And therefore he was more solicitous to keep a good correspondence with the parliament, and to profess a neutrality between the king and them, than inclined to give them any jealousy, by appearing much concerned for the king.

But after the battle of Naseby was lost, and that the king seemed so totally defeated, that he had very little hope of appearing again in the head of an army, that might be able to resist the enemy, the cardinal was awakened to new apprehensions; and saw more cause to fear the monstrous power of the parliament, after they had totally subdued the king, than ever he had to apprehend the excess of greatness in the crown: and therefore, besides the frequent incitements he received from the generosity of the queen regent, who really desired to apply some substantial relief to the king, he was himself willing to receive any propositions from the queen of England, by which she thought that the king her husband's service might be advanced; and had always the dexterity and artifice, by letting things fall in his discourse, in the presence of those, who, he knew, would observe and report what they heard or conceived, to cause that to be proposed to

him, which he had most mind to do, or to engage himself in. And so he had application enough from the covenanting party of Scotland (who from the beginning had depended upon France, by the encouragement and promises of cardinal Richelieu) to know how to direct them, to apply themselves to the queen of England, that they might come recommended by her majesty to him, as a good expedient for the king's service. For they were not now reserved in their complaints of the treatment they received from the parliament, and of the terrible apprehension they had of being disappointed of all their hopes, by the prevalence of the independent army, and of their faction in both houses; and therefore wished nothing more, than a good opportunity to make a firm conjunction with the king; towards which they had all encouragement from the cardinal, if they made their address to the queen, and if her majesty would desire the cardinal to conduct it. And because many things must be promised, on the king's behalf, to the Scots upon this their engagement, "the crown of France should give credit and engage as well that the Scots should perform all that they should promise, as that the king should make good whatsoever should be undertaken by him, or by the queen on his behalf."

This was the occasion and ground of sending monsieur Montrevil into England, as is mentioned before; and he arrived there in January, with as much credit as the queen regent could give him to the Scots, and as the queen of England could give him to the king; who likewise persuaded his majesty to believe, "that France was now become really kind to him, and would engage all its power to serve him; and that the cardinal was well assured, that the Scots would behave themselves henceforwards very honestly;" which his majesty was willing to believe, when all other hopes had failed, and all the overtures made by him for a treaty had been rejected. But it was not long before he was undeceived; and discerned that this treaty was not like to produce better fruit, than his former overtures had done. For the first information he received from Montrevil, after his arrival in England, and after he had conferred with the Scottish commissioners, was, "that they peremptorily insisted upon his majesty's condescension and promise, for the establishment of the presbyterian government in England, as it was in Scotland; without which, he said, there was no hope, that they would ever join with his majesty;" and therefore the envoy pressed his majesty "to give them satisfaction therein, as the advice of the queen regent and the cardinal, and likewise of the queen his wife;" which exceedingly troubled the king. And the Scots alleged confidently, "that the queen had expressly promised to sir Robert Moray," (a cunning and a dexterous man, who had been employed by them to her majesty,) "that his majesty should consent thereto." And they produced a writing signed by the queen, and delivered to sir Robert Moray, wherein there were such expressions concerning religion, as nothing pleased the king; and made him look upon that negotiation, as rather a conspiracy against the church between the Roman catholics and presbyterians, than as an expedient for his restoration, or preservation: and he was very much displeased with some persons, of near trust about the queen, to whose misinformation and

advice he imputed what her majesty had done in that particular.

And thereupon he deferred not to let monsieur Montrevil know, "that the alteration of the government in the church was expressly against his conscience; and that he would never consent to it; that what the queen his wife had seemed to promise, proceeded from her not being well informed of the constitution of the government of England; which could not consist with the change that was proposed." But his majesty offered "to give all the assurance imaginable, and hoped that the queen regent would engage her royal word on his behalf in that particular, that the maintenance and support of the episcopal government in England should not in any degree shake, or bring the least prejudice to that government that was then settled in Scotland;" and, farther he offered, "that if the Scots should desire to have the free exercise of their religion, according to their own practice and custom, whilst they should be at any time in England, that he would assign them convenient places to that purpose in London, or any other part of the kingdom, where they should desire it." Nor could all the importunity or arguments, used by Montrevil, prevail with his majesty to enlarge those concessions, or in the least to recede from the positiveness of his resolution; though he informed him of "the dissatisfaction both the Scottish commissioners, and the presbyterians in London had in his majesty's resolution, and averseness from gratifying them in that, which they always had, and always would insist upon; and that the Scots were resolved to have no more to do with his majesty, but were resolved to agree with the independents; from whom they could have better conditions than from him; and he feared such an agreement was too far advanced already."

Many answers and replies passed between the king and Montrevil in cipher, and with all imaginable secrecy; in which, whatever reproaches were cast upon him afterwards, he always gave the king very clear and impartial information of the temper and of the discourses of those people with whom he was to transact. And though he did, upon all occasions, with much earnestness, advise his majesty to consent to the unreasonable demands of the Scots, which, he did believe, he would be at last compelled to do, yet it is as certain, that he did use all the arguments the talent of his understanding, which was a very good one, could suggest to him, to persuade the Scots to be contented with what the king had so frankly offered and granted to them; and he did all he could to persuade and convince them, that their own preservation, and that of their nation, depended upon the preservation of the king, and the support of his regal authority. And it is very memorable, that, in answer to a letter which Montrevil writ to the king, and in which he persuaded his majesty to agree with the Scots upon their own demands, and, amongst other arguments, assured his majesty, "that the English presbyterians were fully agreed with the Scots," (which his majesty believed they would never be,) the Scots having declared, "that they would never insist upon the settling any other government than was at that time practised in London;" urging many other successes, which they had at that time obtained; the king, after some expressions of his adhering to what he had formerly de-

clared, used these words in his letter of the 21st of January to monsieur Montrevil; "Let them never flatter themselves so with their good successes: without pretending to prophecy, I will foretell their ruin, except they agree with me; however it shall please God to dispose of me;" which they had great reason to remember after.

But because, though this treaty was begun, and proceeded so far as is recited, in the end of the present year, of the actions whereof we have given this account, yet it was carried on, and did not conclude, till some months after the next year was begun, we shall put an end to this relation of it at present, when the year 1645 (*O. S.*) expires, and resume [what remains] in its place of the year ensuing: only, before we finish our account of the actions of this unfortunate year forty-five, we must mention one more, which happened on the two and twentieth of March, just as the year was expiring.

His hope of drawing out of the few garrisons which remained, such a body of horse and foot, as might enable him to take the field early in the spring, though without any fixed design, was

dashed by the total rout and defeat the lord Astley underwent; who being upon his march from Worcester towards Oxford, with two thousand horse and foot, and the king having appointed to meet him, with another body of fifteen hundred horse and foot, letters and orders miscarried, and were intercepted; whereby the enemy came to have notice of the resolution, and drew a much greater strength from their several garrisons of Gloucester, Warwick, Coventry, and Evesham. So that the lord Astley was no sooner upon his march, than they followed him; and the second day, after he had marched all night, and when he thought he had escaped all their quarters, they fell upon his wearied troops; which, though a bold and stout resistance was made, were at last totally defeated; and the lord Astley himself, sir Charles Lucas, who was lieutenant general of the horse, and most of the other officers, who were not killed, were taken prisoners. The few who escaped, were so scattered and dispersed, that they never came together again; nor did there remain, from that minute, any possibility for the king to draw any other troops together in the field.

END OF THE NINTH BOOK.

THE  
HISTORY OF THE REBELLION, &c.

BOOK X.

THE actions of the last year were attended with so many dismal accidents and events, that there were no seeds of hope left to spring up in this ensuing ill year; for it was enough discerned how little success the treaty with the Scots would produce; which yet the king did not desire to put a period to, otherwise than by positively declaring, "that he would never consent to the alteration of the church-government," but was willing enough that they should entertain any other hopes, and was not himself without hope, that, by satisfying the ambition and interest of particular men, he might mitigate the rigour of the presbyterian faction; and to that purpose monsieur Montrevil was gone from London to the Scottish army, then before Newark, having taken Oxford in his way, and so given an account to the king of his observations, and received from him such information and instruction as was necessary for the work in hand.

And in the mean time no ways were left untried to draw such a body of an army together, as might enable his majesty to make some attempt upon the enemy; and if he could, by all possible endeavours, have drawn out of all his garrisons left, a force of five thousand horse and foot, (which at that time seemed a thing not to be despaired of,) he did

more desire to have lost his life, in some signal attempt upon any part of the enemy's army, than to have enjoyed any conditions which he foresaw he was ever like to obtain by treaty; and he was not out of hope of a body of five thousand foot to be landed in Cornwall, which his letters from France confidently promised, and which had been so much expected, and depended upon by the prince, that it kept him from transporting himself into Scilly, till Fairfax was marched (as hath been said before) within little more than twenty miles of Pendennis. For sir Dudley Wyatt had been sent expressly from the lord Jermyn, to assure the prince, that such a body of five thousand foot were actually raised under the command of Ruvignie, and should be embarked for Pendennis within less than a month; and the lord Jermyn, in a postscript to that letter which he writ to the chancellor of the exchequer by sir Dudley Wyatt, wished him not to be too strict in the computation of the month from the date of the letter, because there might be accidents of winds at that season; but he desired him to be confident, that they should be all landed within the expiration of six weeks, and by that measure to conduct the resolutions, and to decline fighting upon that account. And after all

this, it is as true, that there was never a man at this time levied or designed for that expedition, only the name of Ruvignie (because he was of the religion, and known to be a good officer) had been mentioned, in some loose discourse, by the cardinal, as one who would be very fit to command any troops which might be sent into England for the relief of the king; which the other, according to his natural credulity, thought to be warrant enough to give both the king and the prince that unreasonable expectation; the which and many other of that great lord's negotiations and transactions, the succeeding and long continuing misfortunes, kept from being ever after examined, or considered and reflected upon.

The prince stayed in the isle of Scilly from Wednesday the 4th of March till Thursday the 16th of April, the wind having continued so contrary to the main, that the lords Capel and Hopton came not to him from Cornwall till the Saturday before; at which time likewise arrived a trumpeter from sir Thomas Fairfax, with such a message from the parliament to the prince as might well be called a summons, rather than an invitation; yet it was well it came not to Pendennis, where it would have found a party among the prince's servants. The next morning, being Sunday, a fleet of about twenty-seven or twenty-eight sail of ships encompassed the island; but within three or four hours, by a very notable tempest, which continued two days, they were dispersed. Upon this, and a clear determination of the weakness of the place, if it should be attacked by any considerable strength, (which both by the message and the attendants of it they had reason to apprehend,) together with the extreme scarcity of provisions which that island afforded, and they had not been in that six weeks' stay supplied with victual for two days out of Cornwall, neither had there been any returns from France upon the lord Colepepper's application to the queen, which returns would every day grow more difficult by the season of the year, his highness inclined to remove to Jersey; against which it could be objected only of weight, the consideration of the king's being at London (which was strongly reported still) in a treaty; and then, that his highness's remove, especially if by distress of weather he should be forced into France, might be prejudicial to the king; and therefore it would be reasonable, first to expect some advertisement from his majesty in what condition he was. Hereupon his highness produced in council this ensuing letter from the king, which was writ shortly after the battle of Naseby, and which he had concealed till that morning from all the lords, and which truly, I think, was the only secret he had ever kept from the four he had trusted.

*Hereford, the 23d of June, 1645.*

"Charles,

"My late misfortunes remember me to command you that which I hope you shall never have occasion to obey; it is this: if I should at any time be taken prisoner by the rebels, I command you (upon my blessing) never to yield to any conditions, that are dishonourable, unsafe for your person, or derogatory to regal authority, upon any considerations whatsoever, though it were for the saving of my life; which in such a case, I am most confident, is in greatest security

"by your constant resolution, and not a whit the more in danger for their threatening, unless thereby you should yield to their desires. But let their resolutions be never so barbarous, the saving of my life by complying with them would make me end my days with torture, and disquiet of mind, not giving you my blessing, and curing all the rest who are consenting to it. But your constancy will make me die cheerfully, praising God for giving me so gallant a son, and heaping my blessings on you; which you may be confident (in such a case) will light on you. I charge you to keep this letter still safe by you, until you shall have cause to use it; and then, and not till then, to shew it to all your council; it being my command to them, as well as you; whom I pray God to make as prosperously glorious as any of the predecessors ever were of  
"Your loving father, *Charles R.*"

After the reading this letter, and a consideration of the probability that the rebels would make some attempt upon his highness there, and the impossibility of resisting such an attempt in the condition the island then stood, it was by his highness with great earnestness proposed, and by the whole council (except the earl of Berkshire) unanimously advised, that the opportunity should be then laid hold on, whilst the rebels' ships were scattered; and that his highness should embark for Jersey; which he did accordingly on Thursday; and on the next day, being the 17th of April, with a most prosperous wind landed at Jersey; from whence, the same night, they sent an express to the queen, of the prince's safe arrival in that island; and likewise letters to St. Maloes, and Havre de Grace, to advertise the lord Colepepper of the same; who received the information very seasonably, lying then at Havre with two frigates in expectation of a wind for Scilly, and with command to the prince, immediately to remove from thence. After the prince had taken an account of this island, both himself and all their lordships were of opinion, that it was a place of the greatest security, benefit, and conveniency to repose in, that could have been desired, and wished for; till upon a clear information, and observation of the king's condition, and the state of England, he should find a fit opportunity to stir; and the prince himself seemed to have the greatest averseness and resolution against going into France, except in case of danger of surprisal by the rebels, that could be imagined. In few days Mr. Progers, who had been despatched before (shortly upon the lord Colepepper's coming) from Paris for Scilly, being hindered by contrary winds till he received the news of the prince's being at Jersey, came thither, and brought this following letter from her majesty to the chancellor of the exchequer in cipher.

*Paris, the 5th of April, 1646.*

"My lord Colepepper must witness for me that I have patiently, and at large, heard all that he could say concerning the condition of Scilly, and all that has been proposed for the rendering of the prince of Wales's abode there safe; yet I must confess to you, that I am so far from being satisfied in that point, that I shall not sleep in quiet until I shall hear that the prince of Wales shall be removed from thence. It is confessed,



"it is not sufficiently fortified, and is accessible in divers places; and the manning the works will require a thousand men more than you have, or, for ought I see, can procure; neither can you be confident, that the loss of Cornwall may not suddenly have a dangerous influence upon that garrison; most of your soldiers being of that country. The power of the parliament at sea is so great, that you cannot rely upon the seasonable and safe conveyance of such proportions of provisions, as so great a garrison will require: I need not remember you of what importance to the king, and all his party, the safety of the prince's person is; if he should fall into the rebels' hands, the whole would thereby become desperate; therefore I must importunately conjure you to intend this work, as the principal service you can do to the king, me, or the prince. Colepepper will tell you how I have strained to assist you with present provisions, shipping, and money, necessary for the prince's remove to Jersey; where, be confident of it, he shall want nothing. Besides, for satisfaction of others, I have moved the queen regent to give assurance, that if the prince, in his way to Jersey, should be necessitated, by contrary winds, or the danger of the parliament shipping, to touch in France, he should have all freedom and assistance from hence, in his immediate passage thither; which is granted with great cheerfulness and civility, and will be subscribed under the hands of the French king and queen, my brother, and cardinal Mazarine: therefore I hope all scruples are now satisfied. Colepepper is hastening to you with good frigates; but if you shall find any danger before their arrival, I shall rely upon your care not to omit any opportunity to prevent that danger, according to the resolution in council, which Colepepper hath acquainted me with; for which I thank you. I need not tell you how acceptable this service will be to the king, who in every letter presses me to write to you concerning my son's safety; nor that I am, and always will be, most constantly, "Your assured friend, *Henriette Marie R.*"

The prince and council were very glad at the receipt of this letter, conceiving that they had now done all that could be required at their hands; though they were advertised at their first landing there, that there was still an expectation of the prince in France; and that he would be speedily importuned from thence; which they could not believe: but as soon as the lord Colepepper came, they plainly discerned that letter had been written upon advice to Scilly, foreseeing that an immediate journey into France would not have been submitted to; and that the instrument mentioned for his highness's quiet and uninterrupted passage through France to Jersey, was only a colour, the sooner to have invited the prince to have landed there, if there had been any accidents in his passage; but that the resolution was, that he should not then have come to Jersey, as it was now, that he should quickly come from thence; to which purpose, shortly after, came most importunate letters from the queen; and it seems, howsoever all the late letters from the king to the prince before his coming out of England, were for his repair into Denmark, his majesty, upon what reasons I know not, conceived his highness to be in France;

for after his coming to Jersey, this following letter was sent to him, by the lord Jermyn, in whose cipher it was writ, and deciphered by his lordship.

*Oxford, the 22d of March.*

"Charles,  
"Hoping that this will find you safe with your mother, I think fit to write this short but necessary letter to you: then know, that your being where you are, safe from the power of the rebels, is, under God, either my greatest security, or my certain ruin. For your constancy to religion, obedience to me, and to the rules of honour, will make these insolent men begin to hearken to reason, when they shall see their injustice not like to be crowned with quiet: but, if you depart from those grounds for which I have all this time fought, then your leaving this kingdom will be (with too much probability) called sufficient proof for many of the slanders heretofore laid upon me: wherefore, once again, I command you upon my blessing to be constant to your religion, neither hearkening to Roman superstitions, nor the seditious and schismatical doctrines of the presbyterians and independents; for, know that a persecuted church is not thereby less pure, though less fortunate. For all other things, I command you to be totally directed by your mother, and (as subordinate to her) [by] the remainder of that council which I put to you, at your parting from hence: and so God bless you.

*"Charles R."*

This letter, and the very passionate commands from the queen, together with what was privately said to his highness by the lord Colepepper, who from his being at Paris had changed his former opinions, and was (though he expressed it tenderly; finding a general aversion) positive for his going, wrought so far on the prince, that he discovered an inclination to the journey; whereupon the council presented at large to him, the inconveniences and dangers that naturally might be supposed would attend such a resolution: they remembered the carriage of the French since the beginning of this rebellion; how it had been originally fomented, and afterwards countenanced by them; and that they had never, in the least degree, assisted the king; that there was no evidence that, at that time, they were more inclined to him than to the rebels; that it would be necessary they should make some public declaration on his majesty's behalf, before the heir apparent of the crown should put himself into their hands. There was nothing omitted that could be thought of, to render that resolution at least to be of that importance that it ought to be thoroughly weighed and considered, before executed; and so, in the end they prevailed with the prince (since at that time it was not known where the king was) to send the lords Capel and Colepepper again to the queen, to present the weightiness of the matter to her majesty. One of their instructions was as follows.

"You shall inform her majesty, that we have, with all duty and submission, considered her letters to us concerning our speedy repair into the kingdom of France; the which direction we conceive to be grounded upon her majesty's apprehension of danger to our person by any residence here; the contrary whereof, we be-



"lieve, her majesty will be no sooner advertised of, than she will hold us excused for not giving that present obedience which we desire always to yield to the least intimation of her majesty; and therefore, you shall humbly acquaint her majesty, that we have great reason to believe this island to be defensible against a greater force, than we suppose probable to be brought against it. That the inhabitants of the island express as much cheerfulness, unanimity, and resolution for the defence of our person, by their whole carriage, and particularly by a protestation voluntarily undertaken by them, as can be desired; and that, if, contrary to expectation, the rebels should take the island, we can from the castle (a place in itself of very great strength) with the least hazard remove ourself to France; which in case of imminent danger we resolve to do. That our security being thus stated, we beseech her majesty to consider, whether it be not absolutely necessary, before any thought of our remove from hence be entertained, that we have as clear an information as may be got, of the condition of our royal father, and the affections of England; of the resolutions of the Scots in England, and the strength of the lord Mountrose in Scotland; of the affairs in Ireland, and the conclusion of the treaty there; that so, upon a full and mature prospect upon the whole, we may so dispose of our person as may be most for the benefit and advantage of our royal father; or patiently attend such an alteration and conjuncture, as may administer a greater advantage than is yet offered; and whether our remove out of the dominions of our royal father (except upon such a necessity, or apparent visible convenience) may not have an influence upon the affections of the three kingdoms to the disadvantage of his majesty."

Within two days after the two lords were gone for Paris, sir Dudley Wyat arrived with the news of the king's being gone out of Oxford, before the break of day, only with two servants, and to what place uncertain: it was believed by the queen, as she said in her letter to the prince, that he was gone for Ireland, or to the Scots; and therefore her majesty renewed her command for the prince's immediate repair into France; whereas the chief reason before was, that he would put himself into the Scots' hands; and therefore it was necessary that his highness should be in France, to go in the head of those forces which should be immediately sent out of that kingdom to assist his majesty.

The two lords found the queen much troubled, that the prince himself came not; and declared herself "not to be moved with any reasons that were, or could be, given for his stay; and that her resolution was positive and unalterable:" yet they prevailed with her, to respite any positive declaration till she might receive full advertisement of the king's condition; who was by this time known to be in the Scottish army.

It is remembered before, that the prince, upon his arrival at Scilly, sent a gentleman to Ireland to the marquis of Ormond, as well that he might be punctually informed of the state of that kingdom, (of which there were several reports,) as that he might receive from thence a company or two of foot, for the better guard of that island; which he foresaw would be necessary, whether he should remain there or not. The gentleman had a very

quick passage to Dublin, and came thither very quickly after the peace was agreed upon with the Irish catholics, and found the lord Digby there; who, after his enterprise, and disbanding in Scotland, had first transported himself into the isle of Man, and from thence into Ireland; where he had been received, with great kindness and generosity, by the marquis of Ormond, as a man who had been in so eminent a post in the king's council and affairs. He was a person of so rare a composition by nature and by art, (for nature alone could never have reached to it,) that he was so far from being ever dismayed upon any misfortune, (and greater variety of misfortunes never befell any man,) that he quickly recollected himself so vigorously, that he did really believe his condition to be improved by that ill accident; and that he had an opportunity thereby to gain a new stock of reputation and honour; and so he no sooner heard of the prince's being in the isle of Scilly, and of his condition, and the condition of that place, than he presently concluded, that the prince's presence in Ireland would settle and compose all the factions there; reduce the kingdom to his majesty's service; and oblige the pope's nuncio, who was an enemy to the peace, to quit his ambitious designs. The lord lieutenant had so good an opinion of the expedient, that he could have been very well contented, that, when his highness had been forced to leave England, he had rather chosen to have made Ireland than Scilly his retreat; but, being a wise man, and having many difficulties before him in view, and the apprehension of many contingencies which might increase those difficulties, he would not take upon him to give advice in a point of so great importance; but, forthwith, having a couple of frigates ready, he caused an hundred men with their officers to be presently put on board, according to his highness's desire; and the lord Digby (who always concluded, that that was fit to be done which his first thoughts suggested him, and never doubted the execution of any thing which he once thought fit to be attempted) put himself on board those vessels; resolving, that, upon the strength of his own reason, he should be able to persuade the prince, and the council which attended him, forthwith to quit Scilly, and to repair to Dublin; which, he did not doubt, might be brought to pass in that way, that would have been grateful to the lord lieutenant. But, by the sudden remove of the prince from Scilly, the two frigates from Dublin missed finding him there; and that lord, whose order they were obliged to observe, made all the haste he could to Jersey; where he arrived well, and found the prince, with many other of his friends, who attended his highness, the two lords being gone but the day before to attend the queen: he lost no time in informing his highness of the happy state and condition of Ireland; that the peace was concluded; and an army of twelve thousand men ready to be transported into England; of the great zeal and affection the lord lieutenant had for his service; and that if his highness would repair thither, he should find the whole kingdom devoted to his service; and thereupon positively advised him, without farther deliberation, to put himself aboard those frigates; which were excellent sailers, and fit for his secure transportation.

The prince told him, "that it was a matter of greater importance, than was fit to be executed





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Engraved by H. T. Ryall

HENRIETTA MARIA, QUEEN OF CHARLES THE FIRST.

OB. 1669

FROM THE ORIGINAL OF VAN DYKE IN THE COLLECTION OF

THE R<sup>o</sup> HON<sup>ble</sup> THE EARL OF CLARENDON



“ upon so short deliberation ; that he no sooner arrived at Jersey, than he received letters from the queen his mother, requiring him forthwith to come to Paris, where all things were provided for his reception ; that he had sent two of the lords of the council to the queen, to excuse him for not giving ready obedience to her commands ; and to assure her that he was in a place of unquestionable security ; in which he might safely expect to hear from the king his father before he took any other resolution : that it would be very incongruous now to remove from thence, and to go into Ireland, before his messengers’ return from Paris ; in which time, he might reasonably hope to hear from the king himself ; and so wished him to have patience till the matter was more ripe for a determination.” This reasonable answer gave him no satisfaction ; he commended the prince’s averseness from going into France ; “ which, he said, was the most pernicious counsel that ever could be given ; that it was a thing the king his father abhorred, and never would consent to ; and that he would take upon himself to write to the queen, and to give her such solid advice and reasons, that should infallibly convert her from that desire, and that should abundantly satisfy her that his going into Ireland was absolutely necessary ; but that a little delay in the execution of it might deprive them of all the fruit which was to be expected from that journey ; and therefore renewed his advice and importunity, for losing no more time, but immediately to embark ;” which when he saw was not like to prevail with his highness, he repaired to one of those of the privy council who attended the prince, with whom he had a particular friendship, and lamented to him the loss of such an occasion, which would inevitably restore the king ; who would be equally ruined if the prince went into France ; of which he spoke with all the detestation imaginable ; and said, “ he was so far satisfied in his conscience of the benefit that would redound from the one, and the ruin which would inevitably fall out by the other, that, he said, if the person with whom he held this conference, would concur with him, he would carry the prince into Ireland, even without and against his consent.” The other person answered, “ that it was not to be attempted without his consent ; nor could he imagine it possible to bring it to pass, if they should both endeavour it.” He replied, “ that he would invite the prince on board the frigates to a collation ; and that he knew well he could so commend the vessels to him, that his own curiosity would easily invite him to a view of them ; and that as soon as he was on board, he would cause the sails to be hoisted up, and make no stay till he came into Ireland.”

The other was very angry with him for entertaining such imaginations ; and told him, “ they neither agreed with his wisdom nor his duty ;” and left him in despair of his conjunction, and, at the same time, of being able to compass it. He had no sooner discharged himself of this imagination, but in the instant (as he had a most pregnant fancy) he entertained another with the same vigour ; and resolved, with all possible expedition, to find himself at Paris, not making the least question but that he should convert the queen from any farther thought of sending for the prince into France, and

as easily obtain her consent and approbation for his repairing into Ireland ; and he made as little doubt, with the queen’s help, and by his own dexterity, to prevail with France to send a good supply of money by him into Ireland ; by which he should acquire a most universal reputation, and be the most welcome man alive to the lord lieutenant : and transported with this happy auguration, he left Jersey ; leaving at the same time his two ships, and his soldiers, and half a dozen gentlemen of quality, (who, upon his desire, and many promises, had kept him company from Ireland,) without one penny of money to subsist on during his absence.

As soon as he came to Paris, and had seen the queen, (whom he found very well inclined to do all she could for the relief of Ireland, but resolute to have the prince her son immediately with her, notwithstanding all the reasons pressed against it by the lords of the king’s council, who had been sent from Jersey,) he attended the cardinal ; who understood him very well, and knew his foible ; and received him with all the ceremony, and demonstration of respect, he could possibly express ; entered upon the discourse of England ; celebrated the part which he had acted upon that stage, in so many actions of courage, and sagacity, of the highest prudence and circumspection, with an indefatigable industry and fidelity. He told him, “ that France found too late their own error ; that they had been very well content to see the king’s great puissance weakened by his domestic troubles, which they wished only should keep him from being able to hurt his neighbours ; but that they never had desired to see him at the mercy of his own rebels, which they saw now was like to be the case ; and they were therefore resolved to wed his interest in such a way and manner, as the queen of England should desire ;” in which he well knew how much her majesty would depend upon his lordship’s counsel.

The cardinal said, “ it was absolutely necessary, since the crown of France resolved to wed the king’s interest, that the person of the prince of Wales should reside in France ; that the method he had thought of proceeding in was, that the queen of England should make choice of such a person, whom she thought best affected, and best qualified for such an employment, whom the king of France would immediately send as his extraordinary ambassador to the king and to the parliament ; that he should govern himself wholly by such instructions as the queen should give him ; which, he knew, would be his lordship’s work to prepare ; that all things should be made ready as soon as the queen would nominate the ambassador ; and that, upon the arrival of the prince of Wales in any part of France, as soon as notice should be sent to the court of it, (for which due preparation should be made,) the ambassador should be in the same manner despatched for England, with one only instruction from France ; which should be, that he should demand a speedy answer from the parliament, whether they would satisfy the demands the French court had made ? which if they should refuse to do, he should forthwith, in the king his master’s name, declare war against them, and immediately leave the kingdom, and return home ; and then there should be quickly such an army ready, as was worthy for the prince of Wales to venture

"his own person in; and that he should have the honour to redeem and restore his father."

This discourse ended, the lord Digby wanted not language to extol the generosity and the magnanimity of the resolution, and to pay the cardinal all his compliments in his own coin, and, from thence, to enter upon the condition of Ireland; in which the cardinal presently interrupted him, and told him, "he knew well he was come from thence, and meant to return thither, and likewise the carriage of the nuncio. That the marquis of Ormond was too brave a gentleman, and had merited too much of his master to be deserted, and France was resolved not to do its business by halves, but to give the king's affairs an entire relief in all places; that he should carry a good supply of money with him into Ireland, and that arms and ammunition should be speedily sent after him, and such direction to their agent there, as should draw off all the Irish from the nuncio, who had not entirely given themselves up to the Spanish interest."

The noble person had that which he most desired; he was presently converted, and undertook to the queen, that he would presently convert all at Jersey; and that the prince should obey all her commands; and entered into consultation with her upon the election of an ambassador, and what instructions should be given him; which he took upon himself to prepare. Monsieur Bellievre was named by the queen, whom the cardinal had designed for that office. The cardinal approved the instructions, and caused six thousand pistoles to be paid to him, who was to go to Ireland; and though it was a much less sum than he had promised himself, from the magnificent expressions the cardinal had used to him, yet it provided well for his own occasions; so he left the queen with his usual professions, and confidence, and accompanied those lords to Jersey, who were to attend upon his highness with her majesty's orders for the prince's repair into France; for the advancement whereof the cardinal was so solicitous, that he writ a letter to the old prince of Condé, (which he knew he would forthwith send to the queen; as he did,) in which he said, "that he had received very certain advertisement out of England, that there were some persons about the prince of Wales in Jersey, who had undertaken to deliver his highness up into the hands of the parliament for twenty thousand pistoles;" and this letter was forthwith sent by the queen to overtake the lords, that it might be shewed to the prince; and that they who attended upon him might discern what would be thought of them, if they dissuaded his highness from giving a present obedience to his mother's commands.

As soon as they came to Jersey, the lord Digby used all the means he could to persuade his friend to concur in his advice for the prince's immediate repair into France. He told him all that had passed between the cardinal and him, not leaving out any of the expressions of the high value his eminence had of his particular person: "that an ambassador was chosen by his advice, and his instructions drawn by him, from no part of which the ambassador durst swerve;" (and, which is very wonderful, he did really believe for that time, that he had both nominated the ambassador, and that his instructions would be exactly observed by him; so great a power he had always over himself, that he

could believe any thing which was grateful to him;) "that a war would be presently proclaimed upon their refusal to do what the ambassador required, and that there wanted nothing to the expediting this great affair, but the prince's repairing into France without farther delay; there being no other question concerning that matter, than whether his highness should stay in Jersey, where there could be no question of his security, until he could receive express direction from the king his father; and therefore he conjured his friend to concur in that advice; which would be very grateful to the queen, and be attended with much benefit to himself;" telling him, "how kind her majesty was to him, and how confident she was of his service, and that if he should be of another opinion, it would not hinder the prince from going; who, he knew, was resolved to obey his mother;" and so concluded his discourse, with those arguments which he thought were like to make most impression on him; and gave him the instructions by which the ambassador was to be guided.

His friend, who in truth loved him very heartily, though no man better knew his infirmities, told him, "whatever the prince would be disposed to do, he could not change his opinion in point of counsel, until the king's pleasure might be known:" he put him in mind, "how he had been before deceived at Oxford by the conte de Harcourt, who was an ambassador likewise, as we then thought, named by ourselves, and whose instructions he had likewise drawn; and yet, he could not but well remember how foully that business had been managed, and how disobligingly he himself had been treated by that ambassador; and therefore he could not but wonder, that the same artifices should again prevail with him; and that he could imagine that the instructions he had drawn would be at all considered, or pursued, farther than they might contribute to what the cardinal for the present designed; of the integrity whereof, they had no evidence, but had reason enough to suspect it."

The lord Capel and the lord Colepepper stayed at Paris with the queen full three weeks; having only prevailed with her to suspend her present commands for the prince's remove from Jersey, until she should have clear intelligence where the king was, and how he was treated, though she declared a positive resolution that his highness should come to Paris, let the intelligence be what it could be; and, in the end, they were well assured that his majesty had put himself into the Scottish army as it lay before Newark; and that, as soon as he came thither, he had caused that garrison to deliver the town into the hands of the Scots; and that thereupon the Scots marched presently away to Newcastle: that they had pressed the king to do many things, which he had absolutely refused to do; and that thereupon they had put very strict guards upon his majesty, and would not permit any man to repair to him, or to speak with him; so that his majesty looked upon himself as a prisoner, and resolved to make another escape from them as soon as he could. Mr. Ashburnham, who attended upon him in his journey from Oxford as his sole servant, was forbid to come any more near him; and if he had not put himself on board a vessel, then at Newcastle, and

bound for France, the Scots would have delivered him up to the parliament. Monsieur Montrevil, the French envoy, pretended that they were so incensed against him for briskly expostulating with them for their ill treatment of the king, that it was no longer safe for him to remain in their quarters, and more dangerous to return to London; and therefore, he had likewise procured a Dutch ship to land him in France, and was come to Paris before the lords returned to Jersey.

The queen thought now she had more reason to be confirmed in her former resolution for the speedy remove of the prince, and it was pretended that he had brought a letter from the king, which was deciphered by the lord Jermyn; in which he said, "that he did believe that the prince could not be safe any where but with the queen; and therefore wished, that if he were not there already, he should be speedily sent for;" and Montrevil professed to have a message by word of mouth to the same purpose: whereas Mr. Ashburnham, who left the king but the day before Montrevil, and was as entirely trusted by the king as any man in England, brought no such message; and confessed to the lord Capel, "that he thought it very pernicious to the king that the prince should come into France in that conjuncture, and before it was known how the Scots would deal with him; and that the king's opinion of the convenience of his coming into France, could proceed from nothing but the thought of his insecurity in Jersey." The lord Capel offered to undertake to make a journey himself to Newcastle, and to receive the king's positive commands, which he was sure would be submitted to, and obeyed by all the council as well as by himself: but the queen was positive, that, without any more delay, the prince should immediately repair to her; and, to that purpose, she sent the lord Jermyn (who was governor of Jersey) together with the lord Digby, the lord Wentworth, the lord Wilmot, and other lords and gentlemen, who, with the two lords who had been sent to her by the prince, should make haste to Jersey to see her commands executed. Whilst they are upon their journey thither, it will be seasonable to inquire how the king came to involve himself in that perplexity, out of which he was never able afterwards to recover his liberty and freedom.

Monsieur Montrevil was a person utterly unknown to me, nor had I ever intercourse or correspondence with him; so that what I shall say of him cannot proceed from the effects of affection or prejudice, and if I shall say any thing for his vindication from those reproaches which he did, and yet lies under, both with the English and Scottish nation, countenanced enough by the discountenance he received from the cardinal after his return, when he was, after the first account he had given of his negotiation, restrained from coming to the court, and forbid to remain in Paris, and lay under a formed, declared dislike till his death; which with grief of mind shortly ensued. But as it is no unusual hardheartedness in such chief ministers, to sacrifice such instruments, how innocent soever, to their own dark purposes, so it is probable, that temporary cloud would soon have vanished, and that it was only cast over him, that he might be thereby secluded from the conversation of the English court; which must have been reasonably very inquisitive, and might there-

by have discovered somewhat which the other court was carefully to conceal: I say, if what I here set down of that transaction, shall appear some vindication of that gentleman from those imputations under which his memory remains blasted, it can be imputed only to the love of truth, which ought, in common honesty, to be preserved in history as the soul of it, towards all persons who come to be mentioned in it; and since I have in my hands all the original letters which passed from him to the king, and the king's answers and directions thereupon, or such authentic copies thereof, as have been by myself examined with the originals, I take it to be a duty incumbent on me to absolve him from any guilt with which his memory lies unjustly charged, and to make a candid interpretation of those actions, which appear to have resulted from ingenuity, and upright intentions, how unsuccessful soever.

He was then a young gentleman of parts very equal to the trust the cardinal reposed in him, and to the employment he gave him; and of a nature not inclined to be made use of in ordinary dissimulation and cozenage. Whilst he took his measures only from the Scottish commissioners at London, and from those presbyterians whom he had opportunity to converse with there, he did not give the king the least encouragement to expect a conjunction, or any compliance from the one or the other, upon any cheaper price or condition than the whole alteration of the government of the church by bishops, and an entire conformity to the covenant; and he used all the arguments which occurred to him, to persuade his majesty that all other hopes of agreement with them were desperate; and when he saw his majesty unmoveable in that particular, and resolute to undergo the utmost event of war, before he would wound his peace of mind, and conscience, with such an odious concession, he undertook that journey we mentioned in the end of the last year, to discover whether the same rude and rigid spirit, which governed those commissioners at Westminster, possessed also the chief officers of the Scottish army, and that committee of state that always remained with the army.

The Scottish army was then before Newark; and, in his passage thither, he waited upon the king at Oxford; and was confirmed in what he had reason before to be confident of, that it was absolutely impossible ever to prevail with his majesty to give up the church to the most impetuous demands they could make, or to the greatest necessity himself could be environed with; but as to any other concessions which might satisfy their ambition or their profit, which were always powerful and irresistible spells upon that people, he had ample authority and commission to comply with the most extravagant demands from persons like to make good what they undertook, except such propositions as might be mischievous to the marquis of Mountrose; whom the king resolved never to desert, nor any who had joined with and assisted him; all which, he desired to unite to those who might now be persuaded to serve him. His majesty, for his better information, recommended him to some persons who had then command in the Scottish army; of whose affections and inclinations to his service, he had as much confidence, at least, as he ought to have; and of their credit, and courage, and interest, a greater than was due to them.



When he [Montrevil] came to the army, and after he had endeavoured to undeceive those who had been persuaded to believe, that a peremptory and obstinate insisting upon the alteration of the church-government (the expectation and assurance whereof had indeed first enabled them to make that expedition) would at last prevail over the king's spirit, as it had done in Scotland, he found those in whom the power, at least the command of the army was, much more moderate than he expected, and the committee which presided in the counsels, rather devising and projecting expedients how they might recede from the rigour of their former demands, than peremptory to adhere to them, and willing he should believe that they stayed for the coming of the chancellor out of Scotland, who was daily expected, before they would declare their resolution; not that they were, for the present, without one. They were very much pleased that the king offered, and desired to come to them, and remain in the army with them, if he might be secured of a good reception for himself, and security for his servants who should attend him, and his friends who should resort to him; and the principal officers of the army spoke of that, as a thing they so much wished, that it could be in nobody's power to hinder it, if there were any who would attempt it; and they who had the greatest power in the conduct of the most secret counsels, took pains to be thought to have much franker resolutions in that particular, than they thought yet seasonable to express in direct undertakings; and employed those who were known to be most entirely trusted by them, and some of those who had been recommended to him by the king, to assure him that he might confidently advise his majesty to repair to the army, upon the terms himself had proposed; and that they would send a good body of their horse, to meet his majesty at any place he should appoint to conduct him in safety to them. Upon which encouragement he prepared a paper to be signed by himself, and sent to the king as his engagement; and shewed it to those who had been most clear to him in their expressions of duty to the king; and which, being approved by them, he sent by the other who had appeared to him to be trusted by those who were in the highest trust to be communicated to them, who had in a manner excused themselves for being so reserved towards him, as if required in that conjuncture of their affairs, when there evidently appeared to be the most hostile jealousy between the independent army and them. When the paper was likewise returned to him with approbation after their perusal, he sent it to the king; in these words faithfully translated out of the original.

"I do promise<sup>a</sup>, in the name of the king and queen regent, (my master and mistress,) and by virtue of the powers that I have from their majesties, that if the king of Great Britain shall put himself into the Scottish army, he shall be there received as their natural sovereign; and that he shall be with them in all freedom of his conscience and honour; and that all such of his subjects and servants as shall be there with him, shall be safely and honourably protected in their persons; and that the said Scots shall really and

"effectually join with the said king of Great Britain, and also receive all such persons as shall come in unto him, and join with them for his majesty's preservation: and that they shall protect all his majesty's party to the utmost of their power, as his majesty will command all those under his obedience to do the like to them; and that they shall employ their armies and forces, to assist his majesty in the procuring of a happy and well grounded peace, for the good of his majesty and his said kingdoms, and in recovery of his majesty's just rights. In witness whereof I have hereunto put my hand and seal this first of April 1646.

"*De Montrevil, résident pour sa majesté  
"très Chrétienne en Ecosse."*]

Many days had not passed after the sending that express, when he found such chagrin, and tergiversation, in some of those he had treated with, one man denying what he had said to himself, and another disclaiming the having given such a man authority to say that from him which the other still avowed he had done, that Montrevil thought himself obliged, with all speed, to advertise his majesty of the foul change, and to dissuade him from venturing his person in the power of such men: but the express who carried that letter was taken prisoner; and though he made his escape, and preserved his letter, he could not proceed in his journey; and was compelled to return to him who sent him; and by that time, he having informed the committee, what he had done to vindicate himself from being made a property by them to betray the king, and expressed a deep resentment of the injury done to the king his master, and to himself, in their receding from what they had promised, they appeared again to be of another temper, and very much to desire his majesty's presence in the army; and to that purpose, they promised, as an unanimous resolution, "that they would send a considerable party of horse to meet his majesty at Burton upon Trent; and that they could not advance farther with the whole party; but that some horse should be sent to wait upon his majesty at Bosworth, which is the middle way between Burton and Harborough, whither they hoped his own horse would be able to convey him securely;" they desired "the king to appoint the day, and they would not fail to be there." They wished, "that when their troops should meet his majesty, he would tell them that he was going into Scotland; upon which, they would find themselves obliged to attend him into their army, without being able to discover any thing of a treaty; of which the parliament ought yet to receive no advertisement:" of all which Montrevil gave the king a very full and plain narration, together with what he had written before, by his letter of the 15th of the same April, to secretary Nicholas; and, in the same letter, he informed his majesty, "that they did not desire that any of those forces which had followed the king's party, should join with them, no nor so much as those horse that should have accompanied his majesty, should remain in their army with him: that they had with much ado agreed, that the two princes" (for his majesty, upon prince Rupert's humble submission, was reconciled to both his nephews) "might follow the

[<sup>a</sup> This engagement is copied from the Clarendon State Papers.]

"king, with such other of his servants as were not excepted from pardon; and that those three might stay with his majesty until the parliament of England should demand them; in which case they could not refuse to deliver them; but that they would first furnish them with some means of getting beyond seas."

The king had proposed, "that there might be a union between them and the marquis of Mountrose; and that his forces might be joined with their army;" which they had said, "they could not consent to, with reference to the person of Mountrose; who, after so much blood spilt by him of many of the greatest families, they thought could not be safe among them:" whereupon the king had declared, that "he would send him his extraordinary ambassador into France;" which they appeared not to contradict, but had now changed their mind; of which Montrevil likewise gave an account in the same letter: "that they could not give their consent that the marquis of Mountrose should go ambassador into France, but into any other place, he might; and that they again, though without limiting the time, insisted upon settling the presbyterian government;" and he concluded his letter with these words, "I will say no more but this, that his majesty and you know the Scots better than I do: I represent these things nakedly to you, as I am obliged to do; I have not taken upon me the boldness to give any counsel to his majesty; yet if he hath any other refuge, or means to make better conditions, I think he ought not to accept of these; but if he sees all things desperate every where else, and that he and his servants cannot be secure with his parliament of England, I dare yet assure him, that though he and his servants may not be here with all that satisfaction perhaps which he might desire, yet he especially shall be as secure as possible."

In another letter dated the next day after (the 16th of April) to the same secretary, he hath these words; "I have orders from the deputies of Scotland to assure you, that they will not herein fail," (which related to sending the horse to meet his majesty,) "as soon as they shall know his day; and that the king shall be received into the army as hath been promised; and that his conscience shall not be forced." And in the last letter, which his majesty or the secretary received from him, and which was dated the 20th of April 1646, there are these words: "They tell me that they will do more than can be expressed; but let not his majesty hope for any more than I send him word of; that he may not be deceived; and let him take his measures aright; for certainly the enterprise is full of danger:" yet, in the same letter, he says, "the disposition of the chiefs of the Scottish army is such as the king can desire; they begin to draw off their troops towards Burton, and the hindering his majesty from falling into the hands of the English is of so great importance to them, that it cannot be believed but that they will do all that lies in their power to hinder it."

This was the proceeding of monsieur Montrevil in that whole transaction: and if he were too sanguine upon his first conversation with the officers of the Scottish army, and some of the committee, and when he signed that engagement upon the first of April, he made haste to retract that confi-

dence, and was in all his despatches afterwards phlegmatic enough; and, after his majesty had put himself into their hands, he did honestly and stoutly charge all the particular persons with the promises and engagements they had given to him, and did all he could to make the cardinal sensible of the indignity that was offered to that crown in the violation of those promises and engagements; which was the reason of his being commanded to return home, as soon as the king came to Newcastle; lest his too keen resentment might irritate the Scots, and make it appear to the parliament how far France was engaged in that whole negotiation; which the cardinal had no mind should appear to the world: and there can be no doubt, but that the cautions and animadversions which the king received from Montrevil after his engagement, would have diverted him from that enterprise, if his majesty had discerned any other course to take that had been preferable even to the hazard that he saw he must undergo with the Scots; but he was clearly destitute of any other refuge. Every day brought the news of the loss of some garrison; and as Oxford was already blocked up at a distance, by those horse which Fairfax had sent out of the west to that purpose, or to wait upon the king, and follow him close, if he should remove out of Oxford; so he had soon reduced Exeter, and some other garrisons in Devonshire. The governors then, when there was no visible and apparent hope of being relieved, thought that they might deliver up their garrisons before they were pressed with the last extremities, that they might obtain the better conditions; and yet it was observed that better and more honourable conditions were not given to any, than to those who kept the places they were trusted with, till they had not one day's victual left; of which we shall observe more hereafter. By this means Fairfax was within three days of Oxford before the king left it, or fully resolved what to do.

His majesty had before sent to two eminent commanders of name, who had blocked up the town at a distance, "that if they would pass their words," (how slender a security soever, from such men who had broken so many oaths, for the safety of the king,) "that they would immediately conduct him to the parliament, he would have put himself into their hands;" for he was yet persuaded to think so well of the city of London, that he would not have been unwilling to have found himself there: but those officers would submit to no such engagements; and great care was taken to have strict guards round about London, that he might not get thither. What should the king do? There was one thing most formidable to him, which he was resolved to avoid, that was, to be enclosed in Oxford, and so to be given up, or taken, when the town should be surrendered, as a prisoner to the independents' army; which he was advertised, from all hands, would treat him very barbarously.

In this perplexity, he chose rather to commit himself to the Scottish army; which yet he did not trust so far as to give them notice of his journey, by sending for a party of their horse to meet him, as they had proffered; but early in the morning, upon the 27th day of April, he went out of Oxford, attended only by John Ashburnham, and a scholar, (one Hudson,) who understood the byways as well as the common, and was indeed a

very skilful guide. In this equipage he left Oxford on a Monday, leaving those of his council in Oxford who were privy to his going out, not informed whether he would go to the Scottish army, or get privately into London, and lie there concealed, till he might choose that which was best; and it was generally believed, that he had not within himself at that time a fixed resolution what he would do; which was the more credited because it was nine days after his leaving Oxford, before it was known where the king was; insomuch as Fairfax, who came before it the fifth day after his majesty was gone, was sat down, and had made his circumvallation about Oxford, before he knew that the king was in the Scottish army; but the king had wasted that time in several places, whereof some were gentlemen's houses, (where he was not unknown, though untaken notice of,) purposely to be informed of the condition of the marquis of Mountrose, and to find some secure passage that he might find himself with him; which he did exceedingly desire; but in the end, went into the Scottish army before Newark, and sent for Montrevil to come to him.

It was very early in the morning when the king went to the general's lodging, and discovered himself to him; who either was, or seemed to be, exceedingly surprised and confounded at his majesty's presence; and knew not what to say; but presently gave notice of it to the committee, who were no less perplexed. An express was presently sent to the parliament at Westminster, to inform them of the unexpected news, as a thing they had not the least imagination of. The parliament were so disordered with the intelligence, that at first they resolved to command their general to raise the siege before Oxford, and to march with all expedition to Newark; but the Scottish commissioners at London diverted them from that, by assuring them, "that all their orders would meet with an absolute obedience in their army;" so they made a short despatch to them, in which it was evident that they believed the king had gone to them by invitation, and not out of his own free choice; and implying, "that they should shortly receive farther direction from them;" and in the mean time, "that they should carefully watch that his majesty did not dispose himself to go some whither else." The great care in the army was, that there might be only respect and good manners shewed towards the king, without any thing of affection or dependence; and therefore the general never asked the word of him, or any orders, nor suffered the officers of the army to resort to, or to have any discourse with his majesty. Montrevil was ill looked upon, as the man who had brought this inconvenience upon them without their consent; but he was not frightened from owning and declaring what had passed between them, what they had promised, and what they were engaged to do. However, though the king liked not the treatment he received, he was not without apprehension, that Fairfax might be forthwith appointed to decline all other enterprises, and to bring himself near the Scottish army, they being too near together already; and therefore he forthwith gave order to the lord Bellasis to surrender Newark, that the Scots might march northward; which they resolved to do; and he giving up that place, which he could have defended for some months longer from that enemy, upon honourable condi-

tions, that army with great expedition marched towards Newcastle; which the king was glad of, though their behaviour to him was still the same; and great strictness used that he might not confer with any man who was not well known to them, much less receive letters from any.

It was an observation in that time, that the first publishing of extraordinary news was from the pulpit; and by the preacher's text, and his manner of discourse upon it, the auditors might judge, and commonly foresaw, what was like to be next done in the parliament or council of state. The first sermon that was preached before the king, after the army rose from Newark to march northwards, was upon the 19th chapter of the 2d Book of Samuel, the 41st, 42d, and 43d verses.

41. *And, behold, all the men of Israel came to the king, and said unto the king, Why have our brethren the men of Judah stolen thee away, and have brought the king, and his household, and all David's men with him, over Jordan?*
42. *And all the men of Judah answered the men of Israel, Because the king is near of kin to us: wherefore then be ye angry for this matter? have we eaten at all of the king's cost? or hath he given us any gift?*
43. *And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel.*

Upon which words, the preacher gave men cause to believe, that now they had gotten their king, they resolved to keep him, and to adhere to him. But his majesty came no sooner to Newcastle, than both monsieur Montrevil was restrained from having any conference with him, and Mr. Ashburnham was advised "to shift for himself, or else that he should be delivered up to the parliament;" and both the one and the other were come to Paris when the queen sent those lords to hasten the prince's remove from Jersey.

When those lords, with their great train, came to Jersey, which was towards the end of June, they brought with them a letter from the queen to the prince; in which she told him, "that she was now fully satisfied, from the intelligence she had from Newcastle and London, that he could not make any longer residence in Jersey without apparent danger of falling into the enemy's hands; and that if he should continue there, all possible attempts would be suddenly made, as well by treachery as by force, to get his person into their power; and therefore her majesty did positively require him to give immediate obedience to the king's commands, mentioned in the letter which he had lately sent by sir Dudley Wyatt," (which is set out before,) "and reiterated in a letter which she had since received from the king by monsieur Montrevil." Her majesty said, "that she had the greatest assurance from the crown of France, that possibly could be given, for his honourable reception, and full liberty to continue there, and to depart from thence, at his pleasure; and she engaged her own word, that whenever his council should

"find it fit for him to go out of France, she would never oppose it; and that during his residence in that kingdom, all matters of importance which might concern himself, or relate to his majesty's affairs, should be debated and resolved by himself and the council, in such manner as they ought to have been, if he had continued in England, or in Jersey:" and concluded, "that he should make all possible haste to her."

The lords, which arrived with this despatch from her majesty, had no imagination that there would have been any question of his highness's compliance with the queen's command; and therefore, as soon as they had kissed the prince's hand, which was in the afternoon, they desired that the council might presently be called; and when they came together, the lords Jermyn, Digby, and Wentworth, being likewise present, and sitting in the council, they desired the prince, "that his mother's letter might be read; and then, since they conceived there could be no debate upon his highness's yielding obedience to the command of the king and queen, that they might only consider of the day when he might begin his journey, and of the order he would observe in it." The lords of the council represented to the prince, "that they were the only persons that were accountable to the king, and to the kingdom, for any resolution his highness should take, and for the consequence thereof; and that the other lords who were present had no title to deliver their advice, or to be present at the debate, they being in no degree responsible for what his highness should resolve to do; and therefore desired that the whole matter might be debated; the state of the king's present condition understood as far as it might be; and the reasons considered which made it counsellable for his highness to repair into France, and what might be said against it; and the rather, because it was very notorious that the king had given no positive direction in the point, but upon a supposition that the prince could not remain secure in Jersey; which was likewise the ground of the queen's last command; and which they believed had no foundation of reason; and that his residence there might be very unquestionably safe." This begot some warmth and contradiction between persons; inasmuch as the prince thought it very necessary to suspend the debate till the next day, to the end that by several and private conferences together between the lords who came from Paris, and those who were in Jersey, they might convert, or confirm each other in the same opinions; at least that the next debate might be free from passion and unkindness; and so the council rose, and the several lords betook themselves to use the same arguments, or such as they thought more agreeable to the person, as the lord Digby had before done to his friend, and with the same success.

The next day when they were called together, the lord Capel gave an account of all that had passed with the queen from the time that the lord Colepepper and he came thither; and "that the reasons they had carried from the prince had so far prevailed with the queen, that her majesty resolved to take no final resolution till she received farther advertisement of the king's pleasure; and he did not think that the information she had received from monsieur Montrevil had weight enough to produce the quick resolution

"it had done: that he thought it still most absolutely necessary, to receive the king's positive command before the prince should remove out of his majesty's own dominions; there being no shadow of cause to suspect his security there: that he had then offered to the queen, that he would himself make a journey to Newcastle to receive his majesty's commands; and that he now made the same offer to the prince: and because it did appear that his majesty was very strictly guarded, and that persons did not easily find access to him, and that his own person might be seized upon in his journey thither, or his stay there, or his return back, and so his highness might be disappointed of the information he expected, and remain still in the same uncertainty as to a resolution, he did propose, and consent to, as his opinion, that if he did not return again to Jersey within the space of one month, the prince should resolve to remove into France, if in the mean time such preparatories were made there, as he thought were necessary, and were yet defective."

He said, "he had been lately at Paris by the prince's command; and had received many graces from the queen, who had vouchsafed to impart all her own reasons for the prince's remove, and the grounds for the confidence she had of the affections of France: but, that he did still wonder, if the court of France had so great a desire, as was pretended, that the prince of Wales should repair thither, that in the two months' time his highness had been in Jersey, they had never sent a gentleman to see him, and to invite him to come thither; nor had these who came now from the queen, brought so much as a pass for him to come into France: that he could not but observe, that all we had hitherto proposed to ourselves from France had proved in no degree answerable to our expectations; as the five thousand foot, which we had expected in the west before the prince came from thence; and that we had more reason to be jealous now than ever, since it had been by the advice of France, that the king had now put himself into the hands of the Scots; and therefore we ought to be the more watchful in disposing the person of the prince by their advice likewise." He concluded, "that he could not give his advice, or consent, that the prince should repair into France, till the king's pleasure might be known, or such other circumstances might be provided in France, as had been hitherto neglected."

The lord Digby and the lord Jermyn wondered very much, "that there should be any doubt of the affections of France, or that it should be believed that the queen could be deceived, or not well enough informed in that particular:" they related many particulars which had passed between the cardinal and them in private conferences, and the great professions of affection he made to the king. They said, "that the ambassador who was now appointed to go thither was chosen by the queen herself, and had no other instructions but what she had given him; and that he was not to stay there above a month; at the end of which he was to denounce war against the parliament, if they did not comply with such propositions as he made; and so to return; and then, that there should be an army of thirty

“thousand men immediately transported into England, with the prince of Wales in the head of them; that the ambassador was already gone from Paris, but was not to embark till he should first receive advertisement that the prince of Wales was landed in France; for that France had no reason to embark themselves so far in the king’s quarrel, if the prince of Wales should refuse to venture his person with them; or, it may be, engage against them upon another interest.”

They therefore besought the prince, and the lords, “that they would consider well, whether he would disappoint his father and himself of so great fruit as they were even ready to gather, and of which they could not be disappointed but by unseasonable jealousies of the integrity of France, and by delaying to give them satisfaction in the remove of the prince from Jersey.”

These arguments, pressed with all the assurance and confidence imaginable, by persons of that near trust and confidence with the king, who were not like to be deceived themselves, nor to have any purpose to deceive the prince, wrought so far with his highness, that he declared himself resolved “to comply with the commands of the queen, and forthwith remove into France;” which being resolved, he wished “there might be no more debate upon that point, but that they would all resolve to go with him, and that there might be as great an unity in their counsels, as had hitherto always been.”

This so positive declaration of the prince of his own resolution made all farther arguments against it not only useless but indecent; and therefore they replied not to that point, yet every man of the council, the lord Colepepper only excepted, besought his highness, “that he would give them his pardon, if they did not farther wait upon him; for they conceived their commission to be now at an end; and that they could not assume any authority by it to themselves, if they waited upon him into France; nor expect that their counsels there should be hearkened unto, when they were now rejected.” And so, after some sharp replies between the lords of different judgments, which made the council break up the sooner, they who resolved not to go into France took their leaves of the prince, and kissed his hand; his highness then declaring, “that he would be gone the next day by five of the clock in the morning,” though the cross winds, and want of some provisions which were necessary for the journey, detained him there four or five days longer; during which time, the dissenting lords every day waited upon him, and were received by him very graciously; his highness well knowing and expressing to them a confidence in their affections, and that they would be ready to wait upon him, whenever his occasions should be ready for their service. But between them and the other lords there grew by degrees so great a strangeness, that, the last day, they did not so much as speak to each other; they who came from the queen taking it very ill, that the others had presumed to dissent from what her majesty had so positively commanded. And though they neither loved their persons, nor cared for their company, and without doubt, if they had gone into France, would have made them quickly weary of theirs; yet, in that conjuncture, they believed that the dissent and

separation of all those persons who were trusted by the king with the person of the prince, would blast their counsel, and weigh down the single positive determination of the queen herself.

On the other side, the others did not think they were treated in that manner as was due to persons so intrusted; and that in truth many ill consequences would result from that sudden departure of the prince out of the king’s dominions, where his residence might have been secure in respect of the affairs of England; where, besides the garrisons of Scilly and Pendennis, (which might always be relieved by sea,) there remained still within his majesty’s obedience, Oxford, Worcester, Wallingford, Ludlow, and some other places of less name; which, upon any divisions among themselves, that were naturally to be expected, might have turned the scale: nor did they know, of what ill consequence it might be to the king, that in such a conjuncture the prince should be removed, when it might appear more counsellable that he should appear in Scotland.

Moreover, Mr. Ashburnham’s opinion, which he had delivered to the lord Capel, wrought very much upon them; for that a man so entirely trusted by the king, who had seen him as lately as any body, should bring no directions from his majesty to his son, and that he should believe, that it was fitter for the prince to stay in Jersey than to remove into France, till his majesty’s pleasure was better understood, confirmed them in the judgment they had delivered.

But there was another reason that prevailed with those who had been made privy to it, and which, out of duty to the queen, they thought not fit to publish, or insist upon; it was the instructions given to Bellievre, (and which too much manifested the irresolution her majesty had,) not to insist upon what they well knew the king would never depart from; for, though that ambassador was required to do all he could to persuade the presbyterians to join with the king’s party, and not to insist upon the destruction of the church; yet if he found that could not be compassed, he was to press, as the advice of the king his master, his majesty to part with the church, and to satisfy the presbyterians in that point, as the advice of the queen his wife, and of his own party; which method was afterwards observed and pursued by Bellievre; which those lords perfectly abhorred; and thought not fit ever to concur in, or to be privy to those counsels that had begun, and were to carry on that confusion.

Within a day or two after the prince’s departure from Jersey, the earl of Berkshire left it likewise, and went for England; the lords Capel, Hopton, and the chancellor of the exchequer, remained together in Jersey to expect the king’s pleasure, and to attend a conjuncture to appear again in his majesty’s service; of all which they found an opportunity to inform his majesty, who very well interpreted all that they had done according to the sincerity of their hearts; yet did believe, that if they had likewise waited upon the prince into France, they might have been able to have prevented or diverted those violent pressures, which were afterwards made upon him from thence, and gave him more disquiet than he suffered from all the insolence of his enemies.

In a word, if the king’s fortune had been farther to be conducted by any fixed rules of policy and

discretion, and if the current towards his destruction had not run with such a torrent, as carried down all obstructions of sobriety and wisdom to prevent it, and made the confusion inevitable, it is very probable that this so sudden remove of the prince from Jersey, with all the circumstances thereof, might have been looked upon, and censured with some severity, as an action that swerved from that prudence which by the fundamental rules of policy had been long established; but by the fatal and prodigious successes which followed, all counsels of wise and unwise men proving equally unsuccessful, the memory of what had passed before grew to be the less thought upon and considered.

Whilst these things were thus transacted in other parts, the king remained yet in the Scottish army; that people behaving themselves in such a manner, that most men believed that they would never have parted with his majesty till a full peace had been made. The parliament made many sharp instances, "that the king might be delivered into their hands; and that the Scottish army would return into their own country, having done what they were sent for, and the war being at an end." To which the council of Scotland seemed to answer with courage enough, and insisted most on those arguments of the king's legal rights, which had been, in all his majesty's declarations, urged against the parliament's proceedings; and which indeed could never be answered; and as much condemned them, as the parliament.

In the mean time, though the king received all outward respect, he was in truth in the condition of a prisoner; no servant whom he could trust suffered to come to him; and though many persons of quality who had served the king in the war, when they saw the resolute answers made by the Scots, "that they neither would nor could compel their king to return to the parliament, if his majesty had no mind to do so," repaired to Newcastle, where his majesty was, yet none of them were suffered to speak to him; nor could he receive from, or send any letter to the queen or prince; and yet the Scots observed all distances, and performed all the ceremonies as could have been expected if they had indeed treated him as their king; and made as great profession to him of their duty and good purposes, "which [they said] they would manifest as soon as it should be seasonable; and then his servants and friends should repair to him with all liberty, and be well received;" and as they endeavoured to persuade the king to expect this from them, so they prevailed with many officers of that army, and some of the nobility, to believe that they meant well, but that it was not yet time to discover their intentions.

Thus they prevailed with the king to send his positive orders to the marquis of Mountrose, who had indeed done wonders, to lay down his arms, and to leave the kingdom; till when, they pretended they could not declare for his majesty; and this was done with so much earnestness, and by a particular messenger known and trusted, that the marquis obeyed, and transported himself into France.

Then they employed their Alexander Henderson, and their other clergy, to persuade the king to consent to the extirpation of episcopacy in England, as he had in Scotland; and it was and is still

believed, that if his majesty would have been induced to have satisfied them in that particular, they would either have had a party in the parliament at Westminster to have been satisfied therewith, or that they would thereupon have declared for the king, and have presently joined with the loyal party in all places for his majesty's defence. But the king was too conscientious to buy his peace at so profane and sacrilegious a price as was demanded, and he was so much too hard for Mr. Henderson in the argumentation, (as appears by the papers that passed between them, which were shortly after communicated to the world,) that the old man himself was so far convinced and converted, that he had a very deep sense of the mischief he had himself been the author of, or too much contributed to, and lamented it to his nearest friends and confidants; and died of grief, and heart-broken, within a very short time after he departed from his majesty.

Whilst the king stayed at Newcastle, Bellievre the French ambassador, who was sent from Paris after the prince arrived there, and by whom the cardinal had promised to press the parliament so imperiously, and to denounce a war against them if they refused to yield to what was reasonable towards an agreement with the king, came to his majesty, after he had spent some time at London in all the low application to the parliament that can be imagined, without any mention of the king with any tenderness, as if his interest were at all considered by the king his master, and without any consultation with those of his majesty's party; who were then in London, and would have been very ready to have advised with him. But he chose rather to converse with the principal leaders of the presbyterian party in the parliament, and with the Scottish commissioners; from whose information he took all his measures; and they assured him, "that nothing could be done for the king, except he would give up the church; that is, extirpate episcopacy; and grant all the lands belonging to cathedral churches to such uses as the parliament should advise;" so that, when he came to the king, he pressed him very earnestly to that condescension.

But, besides the matter proposed, in which his majesty was unmoveable, he had no esteem of any thing the ambassador said to him, having too late discovered the little affection the cardinal had for him, and which he had too much relied upon. For, [as hath been already said,] by his advice, and upon his undertaking and assurance that his majesty should be well received in the Scottish army, and that they would be firm to his interest, his majesty had ventured to put himself into their hands; and he was no sooner there, than all they with whom Montrevil had treated, disavowed their undertaking what the king had been informed of; and though the envoy did avow, and justify, what he had informed the king, to the faces of the persons who had given their engagements, the cardinal chose rather to recall and discountenance the minister of that crown, than to enter into any expostulation with the parliament, or the Scots, for the effrontery.

The ambassador, by an express, quickly informed the cardinal that the king was too reserved in giving the parliament satisfaction; and therefore wished, "that somebody might be sent over, who was like to have so much credit with his majesty

"as to persuade him to what was necessary for his service." Upon which, the queen, who was never advised by those who either understood or valued his true interest, consulted with those about her; and sent sir William Davenant, an honest man, and a witty, but in all respects inferior to such a trust, with a letter of credit to the king, (who knew the person well enough under another character than was like to give him much credit in the argument in which he was instructed,) although her majesty had likewise enough declared her opinion to his majesty, "that he should part with the church for his peace and security."

Sir William Davenant had, by the countenance of the French ambassador, easy admission to the king; who heard him patiently all he had to say, and answered him in that manner that made it evident he was not pleased with the advice. When he found his majesty unsatisfied, and that he was not like to consent to what was so earnestly desired by them by whose advice he was sent, who undervalued all those scruples of conscience which his majesty himself was strongly possessed with, he took upon himself the confidence to offer some reasons to the king to induce him to yield to what was proposed; and, among other things, said, "it was the advice and opinion, of all his friends;" his majesty asking, "what friends?" and he answering, "that it was the opinion of the lord Jermyn," the king said, "that the lord Jermyn did not understand any thing of the church." The other said, "the lord Colepepper was of the same mind." The king said, "Colepepper had no religion;" and asked, "whether the chancellor of the exchequer was of that mind?" to which he answered, "he did not know; for that he was not there, and had deserted the prince;" and thereupon said somewhat from the queen of the displeasure she had conceived against the chancellor: to which the king said, "the chancellor was an honest man, and would never desert him, nor the prince, nor the church; and that he was sorry he was not with his son; but that his wife was mistaken." Davenant then offering some reasons of his own, in which he mentioned the church slightly, as if it were not of importance enough to weigh down the benefit that would attend the concession, his majesty was transported with so much passion and indignation, that he gave him more reproachful terms, and a sharper reprehension, than he ever did towards any other man; and forbid him to presume to come again into his presence. Whereupon the poor man, who had in truth very good affections, was exceedingly dejected and afflicted; and returned into France, to give an account of his ill success to those who sent him.

As all men's expectations from the courage and activity of the French ambassador in England were thus disappointed and frustrated, by his mean and low carriage both towards the parliament and at Newcastle, so all the professions which had been made of respect and tenderness towards the prince of Wales, when his person should once appear in France, were as unworthily [disappointed]. The prince had been above two months with the queen his mother, before any notice was taken of his being in France, by the least message sent from the court to congratulate his arrival there; but that time was spent in debating the formalities of his reception; how the king should

treat him? and how he should behave himself towards the king? whether he should take place of monsieur the king's brother? and what kind of ceremonies should be observed between the prince of Wales and his uncle the duke of Orleans? and many such other particulars; in all which they were resolved to give the law themselves; and which had been fitter to have been adjusted in Jersey, before he put himself into their power, than disputed afterwards in the court of France; from which there could be then no appeal.

There can be no doubt but that the cardinal, who was the sole minister of state, and directed all that was to be done, and dictated all that was to be said, did think the presence of the prince there of the highest importance to their affairs, and did all that was in his power, to persuade the queen that it was as necessary for the affairs of the king her husband, and of her majesty: but now that work was over, and the person of the prince brought into their power, without the least public act or ceremony to invite him thither, it was no less his care to have the parliament in England, and the officers of the army, whom he feared more than the parliament, should believe that the prince came thither without their wish, and in truth against their will; that the crown of France could not refuse to interpose, and mediate, to compose the difference between the parliament and the Scottish nation, and that the kingdoms might be restored to peace; but that when they had performed that office of mediation, they had performed their function; and that they would no more presume to take upon them to judge between the parliament and the Scots, than they had done between the king and the parliament; and that since the prince had come to the queen his mother, from which they could not reasonably restrain him, it should not be attended with any prejudice to the peace of England; nor should he there find any means or assistance to disturb it. And it was believed by those who stood at no great distance from affairs, that the cardinal then laid the foundation for that friendship which was shortly after built up between him and Cromwell, by promising, "that they should receive less inconvenience by the prince's remaining in France, than if he were in any other part of Europe." And it can hardly be believed, with how little respect they treated him during the whole time of his stay there. They were very careful that he might not be looked upon as supported by them either according to his dignity, or for the maintenance of his family; but a mean addition to the pension which the queen received, was made to her majesty, without any mention of the prince her son; who was wholly to depend upon her bounty, without power to gratify and oblige any of his own servants; that they likewise might depend only upon the queen's goodness and favour, and so behave themselves accordingly.

When the Scots had secured the peace and quiet of their own country, by disbanding the forces under the marquis of Mountrose, and by his transporting himself beyond the seas, and by putting to death several persons of name who had followed the marquis, and had been taken prisoners, among whom sir Robert Spotswood was one, a worthy, honest, loyal gentleman, and as wise a man as that nation had at that time, (whom the king had made secretary of state of that kingdom,



in the place of the earl of Lanrick, who was then in arms against him; which, it may be, was a principal cause that the other was put to death:) and when they had with such solemnity and courage made it plain and evident, that they could not, without the most barefaced violation of their faith and allegiance, and of the fundamental principles of Christian religion, ever deliver up their native king, who had put himself into their hands, into the hands of the parliament, against his own will and consent: and when the earl of Lowden had publicly declared to the two houses of parliament in a conference, "that an eternal infamy would lie upon them, and the whole nation, if they should deliver the person of the king; the securing of which was equally their duty, as it was the parliament's, and the disposal of his person in order to that security did equally belong to them as to the parliament;" however, they said, "they would use all the persuasion, and all the importunity they could with the king that his majesty might yield, and consent to the propositions the parliament had sent to him."

The parliament had, upon the first notice of the king's being arrived in the Scottish army, sent a positive command to the committee of both kingdoms residing in the Scottish army, that the person of the king should be forthwith sent to Warwick-castle; but the Scots, who apprehended they could not be long without such an order, had, within two days after his majesty's coming to them, and after he had caused Newark to be delivered up, with wonderful expedition marched towards Newcastle; and were arrived there before they received that order for sending his majesty to Warwick; which proceeding of theirs pleased his majesty very well, among many other things which displeased him; and persuaded him, that though they would observe their own method, they would, in the end, do somewhat for his service.

Upon the receiving that order, they renewed their professions to the parliament of observing punctually all that had been agreed between them; and besought them, "that since they had promised the king, before he left Oxford, to send propositions to him, they would now do it; and said, that if he refused to comply with them, to which they should persuade him, they knew what they were to do." Then they advised the king, and prevailed with him, to send orders to the governor of Oxford to make conditions, and to surrender that place (where his son the duke of York was, and all the council) into the hands of Fairfax, who with his army then besieged them; and likewise to publish a general order, (which they caused to be printed,) "that all governors of any garrisons for his majesty should immediately deliver them up to the parliament upon fair and honourable conditions, since his majesty resolved in all things to be advised by his parliament; and till this was done, they said, they could not declare themselves in that manner for his majesty's service and interest, as they resolved to do; for that they were, by their treaty and confederacy, to serve the parliament in such manner as it should direct, until the war should be ended; but, that done, they had no more obligations to the parliament; and that, when his majesty had no more forces on foot, nor garrisons which held out for him, it could not be

"denied but that the war was at an end; and, then they could speak and expostulate with freedom." By which arts, they prevailed with the king to send, and publish such orders as aforesaid; and which indeed, as the case then stood, he could have received no benefit by not publishing.

The parliament was contented, as the more expeditious way, (though they were much offended at the presumption of the Scots in neglecting to send the king to Warwick,) to send their propositions to the king (which they knew his majesty would never grant) by commissioners of both houses, who had no other authority or power, than "to demand a positive answer from the king in ten days, and then to return." These propositions were delivered about the end of July; and contained such an eradication of the government of the church and state, that the king told them, "he knew not what answer to make to them, till he should be informed what power or authority they had left to him and his heirs, when he had given all that to them which they desired." He desired, "that he might be removed to some of his own houses, and that he might reside there till, upon a personal treaty with his parliament, such an agreement might be established as the kingdom might enjoy peace and happiness under it; which, he was sure, it could never do by the concessions they proposed."

The Scots, who were enough convinced that his majesty could never be wrought upon to sacrifice the church to their wild lusts and impiety, were as good as their words to the parliament, and used all the rude importunity and threats to his majesty, to persuade him freely to consent to all: though they confessed "that the propositions were higher in many things than they approved of, yet they saw no other means for him to close with his parliament, than by granting what they required."

The chancellor of Scotland told him, "that the consequence of his answer to the propositions was as great, as the ruin or preservation of his crown or kingdoms: that the parliament, after many bloody battles, had got the strong holds and forts of the kingdom into their hands: that they had his revenue, excise, assessments, sequestrations, and power to raise all the men and money of the kingdom: that they had gained victory over all, and that they had a strong army to maintain it; so that they might do what they would with church or state: that they desired neither him, nor any of his race, longer to reign over them; and had sent these propositions to his majesty, without the granting whereof, the kingdom and his people could not be in safety: that if he refused to assent, he would lose all his friends in parliament, lose the city, and lose the country; and that all England would join against him as one man to process and depose him, and to set up another government; and so, that both kingdoms, for either's safety, would agree to settle religion and peace without him, to the ruin of his majesty and his posterity;" and concluded, "that if he left England, he would not be admitted to come and reign in Scotland."

And it is very true that the general assembly of the kirk, which was then sitting in Scotland, had petitioned the conservators of the peace of the kingdom, "that if the king should refuse to give



"satisfaction to his parliament, he might not be "permitted to come into Scotland." This kind of argumentation did more provoke than persuade the king; he told them, with great resolution and magnanimity, "that no condition they could reduce "him to, could be half so miserable and grievous "to him, as that which they would persuade him "to reduce himself to; and therefore bid them "proceed their own way; and that though they "had all forsaken him, God had not."

The parliament had now received the answer they expected; and, forthwith, required "the Scots "to quit the kingdom, and to deliver the person of "the king to such persons as they should appoint "to receive him;" who should attend upon his majesty from Newcastle to Holmby, a house of his majesty's at a small distance from Northampton, a town and country of very eminent disaffection to the king throughout the war; and declared, "that "his majesty should be treated, with respect to the "safety and preservation of his person, according "to the covenant: and that, after his coming to "Holmby, he should be attended by such as they "should appoint; and that when the Scots were "removed out of England, the parliament would "join with their brethren of Scotland again to persuade the king to pass the propositions; which "if he refused to do, the house would do nothing "that might break the union of the two kingdoms, "but would endeavour to preserve the same."

The Scots now begun again to talk sturdily, and denied "that the parliament of England had power "absolutely to dispose of the person of the king "without their approbation;" and the parliament as loudly replied, "that they had nothing to do "in England, but to observe their orders;" and added such threats to their reasons, as might let them see they had a great contempt of their power, and would exact obedience from them, if they refused to yield it. But these discourses were only kept up till they could adjust all accounts between them, and agree what price they should pay for the delivery of his person, whom one side was resolved to have, and the other as resolved not to keep; and so they quickly agreed, that, upon the payment of two hundred thousand pounds in hand, and security for as much more upon days agreed upon, they would deliver the king up into such hands as the parliament should appoint to receive him.

And upon this infamous contract that excellent prince was, in the end of January, wickedly given up, by his Scottish subjects, to those of his English who were entrusted by the parliament to receive him; which had appointed a committee of lords and commons, to go to the place agreed upon with a party of horse and foot of the army, which were subject to the orders of that committee, and the committee itself to go to Newcastle to receive that town as well as the king; where, and to whom, his majesty was delivered.

They received him with the same formality of respect as he had been treated with by the Scots, and with the same strictness restrained all resort of those to his majesty, who were of doubtful affections to them and their cause. Servants were particularly appointed, and named by the parliament, to attend upon his person and service, in all relations; amongst which, in the first place, they preferred those who had faithfully adhered to them against their master; and, where such were wanting, they found others who had manifested their

affection to them. And, in this distribution, the presbyterian party in the houses did what they pleased, and were thought to govern all. The independents craftily letting them enjoy that confidence of their power and interest, till they had dismissed their friends, the Scots, out of the kingdom; and permitting them to put their friends about the person of the king, and to choose such a guard as they could confide in, to attend his majesty.

Of the committee employed to govern and direct all, major general Brown was one, who had a great name and interest in the city, and with all the presbyterian party, and had done great service to the parliament in the war under the earl of Essex, and was a diligent and stout commander. In this manner, and with this attendance, his majesty was brought to his own house at Holmby in Northamptonshire; a place he had taken much delight in: and there he was to stay till the parliament and the army (for the army now took upon them to have a share, and to give their opinion in the settlement that should be made) should determine what should be farther done.

In the mean time, the committee paid all respects to his majesty; and he enjoyed those exercises he most delighted in; and seemed to have all liberty, but to confer with persons he most desired, and to have such servants about him as he could trust. That which most displeased him, was, that they would not permit him to have his own chaplains; but ordered presbyterian ministers to attend for divine service; and his majesty, utterly refusing to be present at their devotions, was compelled at those hours to be his own chaplain in his bedchamber; where he constantly used the Common Prayer by himself. Yet his majesty bore this constraint so heavily, that he writ a letter to the house of peers, in which he enclosed a list of the names of thirteen of his chaplains; any two of which he desired might have liberty to attend him for his devotion. To which, after many days' consideration, they returned this answer; "that all those "chaplains were disaffected to the established government of the church, and had not taken the "covenant; but that there were others who had, "who, if his majesty pleased, should be sent to "him." After this answer, his majesty thought it to no purpose to importune them farther in that particular; but, next to the having his own chaplains, he would have been best pleased to have been without any; they who were sent by them being men of mean parts, and of most impertinent and troublesome confidence and importunity.

Whilst those disputes continued between the parliament and the Scots concerning the king's person, the army proceeded with great success in reducing those garrisons which still continued in his majesty's obedience; whereof though some surrendered more easily, and with less resistance than they might have made, satisfying themselves with the king's general order, and that there was no reasonable expectation of relief, and therefore that it would not be amiss, by an early submission, to obtain better conditions for themselves; yet others defended themselves with notable obstinacy to the last, to the great damage of the enemy, and to the detaining the army from uniting together; without which they could not pursue the great designs they had. And this was one of the reasons that made the treaty with the Scots depend so long, and that the presbyterians continued their

authority and credit so long ; and it was observed, that those garrisons which were maintained and defended with the greatest courage and virtue, in the end, obtained as good and as honourable conditions, as any of those who surrendered upon the first summons.

Which was the case of Pendennis-castle ; which endured the longest siege, and held out the last of any fort or castle in England ; and refused all summons ; nor admitted any treaty, till all their provisions were so far consumed, that they had not victual left for four and twenty hours ; and then they treated, and carried themselves in the treaty with such resolution and unconcernedness, that the enemy concluded they were in no straits ; and so gave them the conditions they proposed ; which were as good as any garrison in England had accepted. This castle was defended by the governor thereof, John Arundel of Trerice in Cornwall, an old gentleman of near fourscore years of age, and of one of the best estates and interest in that county ; who, with the assistance of his son Richard Arundel, (who was then a colonel in the army ; a stout and diligent officer ; and was by the king after his return made a baron, lord Arundel of Trerice, in memory of his father's service, and his own eminent behaviour throughout the war,) maintained and defended the same to the last extremity.

There remained with him in that service many gentlemen of the country of great loyalty, amongst whom sir Harry Killigrew was one ; who, being an intimate friend of the chancellor of the exchequer, resolved to go to Jersey ; and, as soon as the castle was surrendered, took the first opportunity of a vessel then in the harbour of Falmouth, to transport himself with some officers and soldiers to St. Maloes in Brittany ; from whence he writ to the chancellor in Jersey, that he would procure a bark of that island to go to St. Maloes to fetch him thither ; which, by the kindness of sir George Carteret, was presently sent, with a longing desire to receive him into that island ; the two lords, Capel and Hopton, and the governor, having an extraordinary affection for him, as well as the chancellor. Within two days after, upon view of the vessel at sea, (which they well knew,) they all made haste to the harbour to receive their friend ; but, when they came thither, to their infinite regret, they found his body there in a coffin, he having died at St. Maloes within a day after he had written his letter.

After the treaty was signed for delivering the castle, he had walked out to discharge some arms which were in his chamber ; among which, a carbine that had been long charged, in the shooting off, broke ; and a splinter of it struck him in the forehead ; which, though it drew much blood, was not apprehended by him to be of any danger ; so that his friends could not persuade him to stay there till the wound was cured ; but, the blood being stopped, and the chirurgeon having bound it up, he prosecuted his intended voyage ; and at his landing at St. Maloes, he writ that letter ; believing his wound would give him little trouble. But his letter was no sooner gone than he sent for a chirurgeon ; who, opening the wound, found it was very deep and dangerous ; and the next day he died, having desired that his dead body might be sent to Jersey ; where he was decently buried. He was a very gallant gentleman, of a noble extrac-

tion, and a fair revenue in land ; of excellent parts and great courage : he had one only son, who was killed before him in a party that fell upon the enemy's quarters near Bridgewater ; where he behaved himself with remarkable courage, and was generally lamented.

Sir Harry was of the house of commons ; and though he had no other relation to the court than the having many friends there, as wherever he was known he was exceedingly beloved, he was most zealous and passionate in opposing all the extravagant proceedings of the parliament. And when the earl of Essex was chosen general, and the several members of the house stood up, and declared, what horse they would raise and maintain, and that they would live and die with the earl their general, one saying he would raise ten horses, and another twenty, he stood up, and said, " He would provide " a good horse, and a good buff coat, and a good " pair of pistols, and then he doubted not but he " should find a good cause ; " and so went out of the house, and rode post into Cornwall, where his estate and interest lay ; and there joined with those gallant gentlemen his friends, who first received the lord Hopton, and raised those forces which did so many famous actions in the west.

He would never take any command in the army ; but they who had, consulted with no man more. He was in all actions, and in those places where was most danger, having great courage and a pleasantness of humour in danger that was very exemplary ; and they who did not do their duty, took care not to be within his view ; for he was a very sharp speaker, and cared not for angering those who deserved to be reprehended. The Arundels, Slannings, Trevanions, and all the signal men of that county, infinitely loved his spirit and sincerity ; and his credit and interest had a great influence upon all but those who did not love the king ; and towards those he was very terrible ; and exceedingly hated by them ; and not loved by men of moderate tempers ; for he thought all such prepared to rebel, when a little success should encourage them ; and was many times too much offended with men who wished well, and whose constitutions and complexions would not permit them to express the same frankness, which his nature and keenness of spirit could not suppress. His loss was much lamented by all good men.

From the time that the king was brought to Holmby, and whilst he stayed there, he was afflicted with the same pressures concerning the church, which had disquieted him at Newcastle ; the parliament not remitting any of their insolencies in their demands : all which was imputed to the presbyterians, who were thought to exercise the whole power, and begun to give orders for the lessening their great charge by disbanding some troops of their army, and sending others for Ireland ; which they made no doubt speedily to reduce ; and declared, " that they would then disband all armies, that the kingdom might be " governed by the known laws."

This temper in the houses raised another spirit in the army ; which did neither like the presbyterian government that they saw ready to be settled in the church, nor that the parliament should so absolutely dispose of them, by whom they had gotten power to do all they had done ; and Cromwell, who had the sole influence upon the army, underhand, made them petition the houses against

any thing that was done contrary to his opinion. He himself, and his officers, took upon them to preach and pray publicly to their troops, and admitted no chaplains in the army, but such as bitterly inveighed against the presbyterian government, as more tyrannical than episcopacy; and the common soldiers, as well as the officers, did not only pray and preach among themselves, but went up into the pulpits in all churches, and preached to the people; who quickly became inspired with the same spirit; women as well as men taking upon them to pray and preach; which made as great a noise and confusion in all opinions concerning religion, as there was in the civil government of the state; no man being suffered to be called in question for delivering any opinion in religion, by speaking or writing, how profane, heretical, or blasphemous soever it was; "which," they said, "was to restrain the Spirit."

Liberty of conscience was now the common argument and quarrel, whilst the presbyterian party proceeded with equal bitterness against the several sects as enemies to all godliness, as they had done, and still continued to do, against the prelatical party; and finding themselves superior in the two houses, little doubted, by their authority and power there, to be able to reform the army, and to new model it again; which they would, no doubt, have attempted, if it had not pleased God at that time to have taken away the earl of Essex some months before this; who died without being sensible of sickness, in a time when he might have been able to have undone much of the mischief he had formerly wrought; to which he had great inclinations; and had indignation enough for the indignities himself had received from the ungrateful parliament, and wonderful apprehension and detestation of the ruin he saw like to befall the king and the kingdom. And it is very probable, considering the present temper of the city at that time, and of the two houses, he might, if he had lived, have given some check to the rage and fury that then prevailed. But God would not suffer a man, who, out of the pride and vanity of his nature, rather than the wickedness of his heart, had been made an instrument of so much mischief, to have any share in so glorious a work: though his constitution and temper might very well entitle him to the lethargic indisposition of which he died, yet it was loudly said by many of his friends, "that he was poisoned."

Sure it is that Cromwell and his party (for he was now declared head of the army, though Fairfax continued general in name) were wonderfully exalted with his death; he being the only person whose credit and interest they feared, without any esteem of his person.

And now, that they might more substantially enter into dispute and competition with the parliament, and go a share with them in settling the kingdom, (as they called it,) the army erected a kind of parliament among themselves. They had, from the time of the defeat of the king's army, and when they had no more enemy to contend with in the field, and after they had purged their army of all those inconvenient officers, of whose entire submission, and obedience to all their dictates, they had not confidence, set aside their self-denying ordinance, and got their principal officers of the army, and others of their friends, whose principles they well knew, to be elected members of the

house of commons into their places who were dead, or who had been expelled by them for adhering to the king. By this means, Fairfax himself, Ireton, Harrison, and many other of the independents, officers and gentlemen, of the several counties, who were transported with new fancies in religion, and were called by a new name *fanatics*, sat in the house of commons; notwithstanding all which, the presbyterians still carried it.

So that about this time, that they might be upon a nearer level with the parliament, the army made choice of a number of such officers as they liked; which they called the general's council of officers; who were to resemble the house of peers; and the common soldiers made choice of three or four of each regiment, most corporals or sergeants, and none above the degree of an ensign, who were called agitators, and were to be as a house of commons to the council of officers. These two representatives met severally, and considered of all the acts and orders made by the parliament towards settling the kingdom, and towards reforming, dividing, or disbanding of the army: and, upon mutual messages and conferences between each other, they resolved in the first place, and declared, "that they would not be divided or disbanded, before their full arrears were paid, and before full provision was made for liberty of conscience; which, they said, was the ground of the quarrel, and for which so many of their friends' lives had been lost, and so much of their own blood had been spilt; and that hitherto there was so little security provided in that point, that there was a greater persecution now against religious and godly men, than ever had been in the king's government, when the bishops were their judges."

They said, "they did not look upon themselves as a band of janizaries, hired and entertained only to fight their battles; but that they had voluntarily taken up arms for the liberty and defence of the nation of which they were a part; and before they laid down those arms, they would see all those ends well provided for, that the people might not hereafter undergo those grievances which they had formerly suffered. They complained that some members of the army had been sent for by the parliament, and committed to prison, which was against their privilege; since all soldiers ought to be tried by a council of war, and not by any other judicatory; and therefore they desired redress in these, and many other particulars of as ingrateful a nature; and that such as were imprisoned and in custody, might be forthwith set at liberty; without which they could not think themselves justly dealt with." And with this declaration and address, they sent three or four of their own members to the house of commons; who delivered it at the bar with wonderful confidence.

The soldiers published a vindication, as they called it, of their proceedings and resolutions, and directed it to their general; in which they complained of a design to disband and new model the army; "which, they said, was a plot contrived by some men who had lately tasted of sovereignty; and, being lifted up above the ordinary sphere of servants, endeavoured to become masters, and were degenerated into tyrants." They therefore declared, "that they would neither be employed for the service of Ireland, nor suffer themselves

"to be disbanded, till their desires were granted, "and the rights and liberties of the subjects "should be vindicated and maintained." This apology, or vindication, being signed by many inferior officers, the parliament declared them to be enemies to the state: and caused some of them, who talked loudest, to be imprisoned. Upon which a new address was made to their general; wherein they complained "how disdainfully they "were used by the parliament, for whom they "had ventured their lives, and lost their blood: "that the privileges, which were due to them as "soldiers and as subjects, were taken from them; "and when they complained of the injuries they "received, they were abused, beaten, and dragged "into gaols."

Hereupon, the general was prevailed with to write a letter to a member of parliament, who shewed it to the house; in which he took notice of several petitions, which were prepared in the city of London, and some other counties of the kingdom, against the army; and "that it was "looked upon as very strange, that the officers of "the army might not be permitted to petition, "when so many petitions were received against "them; and that he much doubted that the army "might draw to a rendezvous, and think of some "other way for their own vindication."

This manner of proceeding by the soldiers, but especially the general seeming to be of their mind, troubled the parliament; yet they resolved not to suffer their counsels to be censured, or their actions controlled, by those who were retained by them, and who lived upon their pay. And therefore, after many high expressions against the presumption of several officers and soldiers, they declared, "that whosoever should refuse, being commanded, "to engage himself in the service of Ireland, "should be disbanded." The army was resolved not to be subdued in their first so declared resolution, and fell into a direct and high mutiny, and called for the arrears of pay due to them; which they knew where and how to levy for themselves; nor could they be in any degree appeased, till the declaration that the parliament had made against them was rased out of the journal book of both houses, and a month's pay sent to them; nor were they satisfied with all this, but talked very loud, "that they knew how to make themselves "as considerable as the parliament, and where to "have their services better valued and rewarded;" which so frightened those at Westminster, that they appointed a committee of lords and commons, whereof some were very acceptable to the army, to go to them, and to treat with a committee chosen of the officers of the army, upon the best expedients that might be applied to the composing these distempers. Now the army thought itself upon a level with the parliament, when they had a committee of the one authorized to treat with a committee of the other; which likewise raised the spirits of Fairfax, who had never thought of opposing or disobeying the parliament; and disposed him to more concurrence with the impetuous humour of the army, when he saw it was so much complied with and submitted to by all men.

Cromwell, hitherto, carried himself with that rare dissimulation, (in which sure he was a very great master,) that he seemed exceedingly incensed against this insolence of the soldiers; was still in the house of commons when any such addresses

were made; and inveighed bitterly against the presumption, and had been the cause of the commitment, of some of the officers. He proposed, "that the general might be sent down to the "army; who," he said, "would conjure down "this mutinous spirit quickly;" and he was so easily believed, that he himself was sent once or twice to compose the army; where after he had stayed two or three days, he would again return to the house, and complain heavily "of the great "license that was got into the army; that, for his "own part, by the artifice of his enemies, and of "those who desired that the nation should be "again imbrued in blood, he was rendered so "odious unto them, that they had a purpose to "kill him, if, upon some discovery made to him, "he had not escaped out of their hands." And in these, and the like discourses, when he spake of the nation's being to be involved in new troubles, he would weep bitterly, and appear the most afflicted man in the world with the sense of the calamities which were like to ensue. But, as many of the wiser sort had long discovered his wicked intentions, so his hypocrisy could not longer be concealed. The most active officers and agitators were known to be his own creatures, and such who neither did, nor would do, any thing but by his direction. So that it was resolved by the principal persons of the house of commons, that when he came the next day into the house, which he seldom omitted to do, they would send him to the Tower; presuming, that if they had once severed his person from the army, they should easily reduce it to its former temper and obedience. For they had not the least jealousy of the general Fairfax, whom they knew to be a perfect presbyterian in his judgment; and that Cromwell had the ascendant over him purely by his dissimulation, and pretence of conscience and sincerity. There is no doubt Fairfax did not then, nor long after, believe, that the other had those wicked designs in his heart against the king, or the least imagination of disobeying the parliament.

This purpose of seizing upon the person of Cromwell could not be carried so secretly, but that he had notice of it; and the very next morning after he had so much lamented his desperate misfortune in having lost all reputation, and credit, and authority in the army, and that his life would be in danger if he were with it, when the house expected every minute his presence, they were informed that he was met out of the town by break of day, with one servant only, on the way to the army; where he had appointed a rendezvous of some regiments of the horse, and from whence he writ a letter to the house of commons, "that having the night before received a letter from some "officers of his own regiment, that the jealousy "the troops had conceived of him, and of his want "of kindness towards them, was much abated, so "that they believed, if he would be quickly presented with them, they would all in a short time by "his advice be reclaimed, upon this he had made "all the haste he could; and did find that the "soldiers had been abused by misinformation; "and that he hoped to discover the fountain from "whence it sprung; and in the mean time desired "that the general, and the other officers in the "house, and such as remained about the town, "might be presently sent to their quarters; and "that he believed it would be very necessary in

"order to the suppression of the late distempers, "and for the prevention of the like for the time to come, that there might be a general rendezvous of the army; of which the general would best consider, when he came down; which he wished might be hastened." It was now to no purpose to discover what they had formerly intended, or that they had any jealousy of a person who was out of their reach; and so they expected a better conjuncture; and in few days after, the general and the other officers left the town, and went to their quarters.

The same morning that Cromwell left London, cornet Joyce, who was one of the agitators in the army, a tailor, a fellow who had two or three years before served in a very inferior employment in Mr. Hollis's house, came with a squadron of fifty horse to Holmby, where the king was, about the break of day; and, without any interruption by the guard of horse or foot which waited there, came with two or three more, and knocked at the king's chamber door, and said "he must presently speak with the king." His majesty, surprised with the manner of it, rose out of his bed; and, half dressed, caused the door to be opened, which he knew otherwise would be quickly broken open; they who waited in the chamber being persons of whom he had little knowledge, and less confidence. As soon as the door was opened, Joyce, and two or three more, came into the chamber, with their hats off, and pistols in their hands. Joyce told the king, "that he must go with him." His majesty asked, "whither?" he answered, "to the army." The king asked him, "where the army was?" he said, "they would carry him to the place where it was." His majesty asked, "by what authority they came?" Joyce answered, "by this;" and shewed him his pistol; and desired his majesty, "that he would cause himself to be dressed, because it was necessary they should make haste." None of the other soldiers spoke a word; and Joyce, saving the bluntness and positiveness of the few words he spoke, behaved himself not rudely. The king said, "he could not stir before he spoke with the committee to whom he had been delivered, and who were trusted by the parliament;" and so appointed one of those who waited upon him, to call them. The committee had been as much surprised with the noise as the king had been, and quickly came to his chamber, and asked Joyce, "whether he had any orders from the parliament?" he said, No. "From the general?" No. "What authority he came by?" to which he made no other answer, than he had made to the king, and held up his pistol. They said, "they would write to the parliament to know their pleasure;" Joyce said, "they might do so, but the king must presently go with him." Colonel Brown had sent for some of the troops who were appointed for the king's guard, but they came not; he spoke then with the officer who commanded those who were at that time upon the guard, and found that they would make no resistance: so that after the king had made all the delays he conveniently could, without giving them cause to believe that he was resolved not to have gone, which had been to no purpose, and after he had broken his fast, he went into his coach, attended by the few servants who were put about him, and went whither cornet Joyce would conduct him; there being no part of the

army known to be within twenty miles of Holmby at that time; and that which administered most cause of apprehension, was, that those officers who were of the guard, declared, "that the squadron which was commanded by Joyce consisted not of soldiers of any one regiment, but were men of several troops, and several regiments, drawn together under him, who was not the proper officer;" so that the king did in truth believe, that their purpose was to carry him to some place where they might more conveniently murder him. The committee quickly gave notice to the parliament of what had passed, with all the circumstances; and it was received with all imaginable consternation; nor could any body imagine what the purpose and resolution was.

Nor were they at the more ease, or in any degree pleased with the account they received from the general himself; who by his letter informed them, "that the soldiers at Holmby had brought the king from thence; and that his majesty lay the next night at colonel Montague's house, and would be the next day at Newmarket: that the ground thereof was from some apprehension of some strength gathered to force the king from thence; whereupon he had sent colonel Whaley's regiment to meet the king." He protested, "that his remove was without his consent, or of the officers about him, or of the body of the army, and without their desire or privity: that he would take care for the security of his majesty's person from danger;" and assured the parliament, "that the whole army endeavoured peace, and were far from opposing presbytery, or affecting independency, or from any purpose to maintain a licentious freedom in religion, or the interest of any particular party, but were resolved to leave the absolute determination of all to the parliament."

It was upon the third of June that the king was taken from Holmby by cornet Joyce, [well nigh,] a full year after he had delivered himself to the Scots at Newark; in all which time, the army had been at leisure to contrive all ways to free itself from the servitude of the parliament, whilst the presbyterians believed, that, in spite of a few factious independent officers, it was entirely at their devotion, and could never prove disobedient to their commands; and those few wise men, who discerned the foul designs of those officers, and by what degrees they stole the hearts and affections of the soldiers, had not credit enough to be believed by their own party. The joint confidence of the unanimous affection of the city of London to all their purposes, made them despise all opposition; but now, when they saw the king taken out of their hands in this manner, and with these circumstances, they found all their measures broke by which they had formed all their counsels. And as this letter from the general administered too much cause of jealousy of what was to succeed, so a positive information about the same time by many officers, confirmed by a letter which the lord mayor of London had received, that the whole army was upon its march, and would be in London the next day by noon, so distracted them, that they appeared besides themselves: however, they voted, "that the houses should sit all the next day, being Sunday; and that Mr. Marshall should be there to pray for them: that the committee of safety should sit up all that night to consider what was

"to be done: that the lines of communication should be strongly guarded, and all the trained bands of London should be drawn together upon pain of death." All shops were shut up, and such a general confusion over all the town, and in the faces of all men, as if the army had already entered the town. The parliament writ a letter to the general, desiring him, "that no part of the army might come within five and twenty miles of London; and that the king's person might be delivered to the former commissioners, who had attended upon his majesty at Holmby; and that colonel Rossiter, and his regiment, might be appointed for the guard of his person." The general returned for answer, "that the army was come to St. Alban's before the desire of the parliament came to his hands; but that, in obedience to their commands, he would advance no farther; and desired that a month's pay might presently be sent for the army." In which they deferred not to gratify them; though as to the redelivery of the king to the former commissioners, no other answer was returned, than "that they might rest assured, that all care should be taken for his majesty's security."

From that time both Cromwell and Ireton appeared in the council of officers, which they had never before done; and their expostulations with the parliament begun to be more brisk and contumacious than they had been. The king found himself at Newmarket attended by greater troops and superior officers; so that he was presently freed from any subjection to Mr. Joyce; which was no small satisfaction to him; and they who were about him appeared men of better breeding than the former, and paid his majesty all the respect imaginable, and seemed to desire to please him in all things. All restraint was taken off from persons resorting to him, and he saw every day the faces of many who were grateful to him; and he no sooner desired that some of his chaplains might have leave to attend upon him for his devotion, but it was yielded to, and they who were named by him (who were Dr. Sheldon, Dr. Morley, Dr. Sanderson, and Dr. Hammond) were presently sent, and gave their attendance, and performed their function at the ordinary hours, in their accustomed formalities; all persons, who had a mind to it, being suffered to be present, to his majesty's infinite satisfaction; who begun to believe that the army was not so much his enemy as it was reported to be; and though Fairfax, nor Cromwell, had not yet waited upon him, the army had sent an address to him full of protestation of duty, and besought him "that he would be content, for some time, to reside among them, until the affairs of the kingdom were put into such a posture as he might find all things to his own content and security; which they infinitely desired to see as soon as might be; and to that purpose made daily instances to the parliament." In the mean time his majesty sat still, or removed to such places as were most convenient for the march of the army; being in all places as well provided for and accommodated, as he had used to be in any progress; the best gentlemen of the several counties through which he passed, daily resorted to him, without distinction; he was attended by some of his old trusty servants in the places nearest his person; and that which gave him most encouragement to believe that they meant well, was, that in the army's

address to the parliament, they desired "that care might be taken for settling the king's rights, according to the several professions they had made in their declarations; and that the royal party might be treated with more candour and less rigour;" and many good officers who had served his majesty faithfully, were civilly received by the officers of the army, and lived quietly in their quarters; which they could not do any where else; which raised a great reputation to the army, throughout the kingdom, and as much reproach upon the parliament.

The parliament at this time had recovered its spirits, when they saw the army did not march towards them, and not only remained at St. Alban's, but was drawn back to a farther distance; which persuaded them, that their general was displeased with the former advance: and so they proceeded with all passion and vigour against those principal officers, who, they knew, contrived all these proceedings. They published declarations to the kingdom, "that they desired to bring the king in honour to his parliament; which was their business from the beginning, and that he was detained prisoner against his will in the army; and that they had great reason to apprehend the safety of his person." The army, on the other hand, declared "that his majesty was neither prisoner, nor detained against his will; and appealed to his majesty himself, and to all his friends, who had liberty to repair to him, whether he had not more liberty, and was not treated with more respect, since he came into the army than he had been at Holmby, or during the time he remained in those places, and with that retinue that the parliament had appointed?" The city seemed very unanimously devoted to the parliament, and incensed against the army; and seemed resolute, not only with their trained bands and auxiliary regiments to assist and defend the parliament, but appointed some of the old officers who had served under the earl of Essex, and had been disbanded under the new model, as Waller, Massey, and others, to list new forces; towards which there was not like to be want of men out of their old forces, and such of the king's as would be glad of the employment. There was nothing they did really fear so much, as that the army would make a firm conjunction with the king, and unite with his party, of which there was so much show; and many unskilful men, who wished it, bragged too much; and therefore the parliament sent a committee to his majesty, with an address of another style than they had lately used, with many professions of duty; and declaring, "that if he was not, in all respects, treated as he ought to be, and as he desired, it was not their fault, who desired he might be at full liberty, and do what he would;" hoping that the king would have been induced to desire to come to London, and to make complaint of the army's having taken him from Holmby; by which they believed the king's party would be disabused, and withdraw their hopes of any good from the army; and then, they thought, they should be hard enough for them.

The king was in great doubt how to carry himself; he thought himself so barbarously used by the presbyterians, and had so ill an opinion of all the principal persons who governed them, that he had no mind to put himself into their hands. On the other side, he was far from being satisfied with the

army's good intentions towards him; and though many of his friends were suffered to resort to him, they found that their being long about him, would not be acceptable; and though the officers and soldiers appeared, for the most part, civil to him, they were all at least as vigilant, as the former guards had been; so that he could not, without great difficulty, have got from them if he had desired it. Fairfax had been with him, and kissed his hand, and made such professions as he could well utter; which was with no advantage in the delivery; his authority was of no use, because he resigned himself entirely to Cromwell; who had been, and Ireton likewise, with the king, without either of them offering to kiss his hand; otherwise, they behaved themselves with good manners towards him. His majesty used all the address he could towards them to draw some promise from them; but they were so reserved, and stood so much upon their guard, and used so few words, that nothing could be concluded from what they said: they excused themselves "for not seeing his majesty often, upon the great jealousies the parliament had of them, towards whom they professed all fidelity." The persons who resorted to his majesty, and brought advices from others who durst not yet offer to come themselves, brought several opinions to him; some thinking the army would deal sincerely with his majesty, others expecting no better from them than they afterwards performed: so that the king wisely concluded that he would neither reject the parliament addresses by any neglect, nor disoblige the army by appearing to have jealousy of them, or a desire to be out of their hands; which he could hardly have done, if he had known a better place to have resorted to. So he desired both parties "to hasten their consultations, that the kingdom might enjoy peace and happiness: in which he should not be without a share; and he would pray to God to bring this to pass as soon as was possible."

The news of the king's being in the army, of his freedom in the exercise of his religion, which he had been so long without, and that some of his servants, with whom he was well pleased, had liberty to attend upon him, made every body abroad, as well as those at home, hope well; and the king himself writ to the queen, as if he thought his condition much better than it had been among the Scots. Sir John Berkley, after his surrender of Exeter, and the spending his six months allowed by the articles to solicit his affairs where he would, had transported himself into France, and waited upon the queen at Paris, being still a menial servant to her majesty, and having a friend in that court that governed, and loved him better than any body else did. As soon as the reports came thither of the king's being with the army, he repeated many discourses he had held with the officers of the army, whilst they treated with him of the delivery of Exeter; how he had told them, "upon how slippery ground they stood; that the parliament, when they had served their turn, would dismiss them with reproach, and give them very small rewards for the great service they had done for them; that they should do well, seasonably to think of a safe retreat, which could be no where but under the protection of the king; who by their courage and virtue was brought very low; and if they raised him again, he must owe it all to them; and his posterity, as well as

himself, and all his party, must for ever acknowledge it, by which they would raise their fortunes, as well as their fame, to the greatest degree men could aim at;" which, he said, made such an impression upon this and that officer, whom he named, "that they told him at parting, that they should never forget what he had said to them; and that they already observed that every day produced somewhat that would put them in mind of it." In a word, "he had foretold all that was since come to pass, and he was most confident, that, if he were now with them, he should be welcome, and have credit enough to bring them to reason, and to do the king great service;" and offered, without any delay, to make the journey. The queen believed all he said; and they who did not, were very willing he should make the experiment; for he that loved him best, was very willing to be without him; and so receiving the queen's letter of recommendation of him to the king, who knew him very little, and that little not without great prejudice, he left Paris, and made all possible haste into England. John Ashburnham, who was driven from the king by the Scots after he had conducted his majesty to them, had transported himself into France, and was at this time residing in Rouen; having found, upon his address to the queen at Paris upon his first arrival, that his abode in some other place would not be ungrateful to her majesty, and so he removed to Rouen; where he had the society of many who had served the king in the most eminent qualifications. When he heard where the king was, and that there was not the same restraint that had been formerly, he resolved to make an adventure to wait on him; having no reason to doubt but that his presence would be very acceptable to the king; and though the other envoy from Paris, and he, did not make their journey into England together, nor had the least communication with each other, being in truth of several parties and purposes, yet they arrived there, and at the army, near the same time.

Berkley first applied himself to those subordinate officers with whom he had some acquaintance at Exeter, and they informing their superiors of his arrival and application, they were well pleased that he was come. They were well acquainted with his talent, and knew his foible, that, by flattering and commending, they might govern him; and that there was no danger of any deep design from his contrivance; and so they permitted him freely to attend the king, about whose person he had no title, or relation, which required any constant waiting upon him.

Ashburnham had, by some friends, a recommendation both to Cromwell and Ireton, who knew the credit he had with the king, and that his majesty would be very well pleased to have his attendance, and look upon it as a testimony of their respect to him. They knew likewise that he was an implacable enemy to the Scots, and no friend to the other presbyterians, and though he had some ordinary craft in insinuating, he was of no deep and piercing judgment to discover what was not unwarily exposed, and a free speaker of what he imagined: so they likewise left him at liberty to repair to the king; and these two gentlemen came near about the same time to his majesty, when the army was drawing together, with a purpose, which was not yet published, of marching to London; his majesty being still quartered



in those places which were more proper for that purpose.

They were both welcome to his majesty, the one bringing a special recommendation from the queen, and, to make himself the more valuable, assured his majesty, "that he was sent for by the officers of the army, as one they would trust, and that they had received him with open arms; and, without any scruple, gave him leave to wait upon him;" the other needed no recommendation, the king's own inclinations disposing him to be very gracious to him; and so his majesty wished them "to correspond with each other, and to converse with his several friends, who did not yet think fit to resort to him; and to receive their advice; to discover as much as they could of the intentions of both parties, and impart what was fit to the king, till, upon a farther discovery, his majesty might better judge what to do." These two were the principal agents, (they conferring with all his majesty's friends, and, as often as they desired, with the officers of the army,) upon whose information and advice his majesty principally depended, though they rarely conferred together with the same persons, and never with any of the officers, who pretended not to trust one another enough to speak with that freedom before each other, as they would to one of them; and their acquaintance among the officers not being principally with the same men, their informations and advices were often very different, and more perplexed than informed his majesty.

The very high contests between the parliament and the army, in which neither side could be persuaded to yield to the other, or abate any of their asperity, made many prudent men believe that both sides would, in the end, be willing to make the king the umpire; which neither of them ever intended to do. The parliament thought that their name and authority, which had carried them through so great undertakings, and reduced the whole kingdom to their obedience, could not be overpowered by their own army, raised and paid by themselves, and to whose dictates the people would never submit. They thought the king's presence amongst them gave them all their present reputation; and were not without apprehension that the ambition of some of the officers, and their malice to the parliament, when they saw that they could obtain their ends no other way, might dispose them to an entire conjunction with the king's party and interest; and then, all the penalties of treason, rebellion, and trespasses, must be discharged at their costs; and therefore they laboured, by all the public and private means they could, to persuade the king to own his being detained prisoner by the army against his will, or to withdraw himself by some way from them, and repair to Whitehall; and, in either of those cases, they did not doubt, first, to divide the army, (for they still believed the general fast to them,) and by degrees to bring them to reason, and to be disbanded, as many as were not necessary for the service of Ireland; and then, having the king to themselves, and all his party being obnoxious to those penalties for their delinquency, they should be well able, by gratifying some of the greatest persons of the nobility with immunity and indemnity, to settle the government in such a manner, as to be well recompensed for all the adventures they had made, and hazards they had run.

On the other hand, the army had no dread of the authority and power of the parliament; which they knew had been so far prostituted, that it had lost most of its reverence with the people. But it had great apprehension, that, by its conjunction with the city, it might indeed recover credit with the kingdom, and withhold the pay of the army, and thereby make some division amongst them; and if the person of the king should be likewise with them, and thereby his party should likewise join with them, they should be to begin their work again, or to make their peace with those who were as much provoked by them as the king himself had been. And therefore they were sensible that they enjoyed a present benefit by the king's being with them, and by their treating him with the outward respect that was due to his majesty, and the civilities they made profession of towards all his party, and the permission of his chaplains, and other servants, to resort to him; and cultivated all these artifices with great address, suppressing or discountenancing the tyranny of the presbyterians in the country committees, and all other places, where they exercised notable rigour against all who had been of the king's party, or not enough of theirs, (for neuters found no excuse for being of no party.) When they found it fit to make any lusty declaration against the parliament, and exclaim against their tyrannical proceedings against the army, they always inserted somewhat that might look like candour and tenderness towards the king's party, complained of "the affront and indignity done to the army by the parliament's not observing the articles which had been made upon surrender of garrisons, but proceeding against those on whose behalf those articles were made, with more severity than was agreeable to justice, and to the intention of the articles; whereby the honour and faith of the army suffered, and was complained of; all which, they said, they would have remedied." Whereupon many hoped that they should be excused from making any compositions, and entertained such other imaginations as pleased themselves, and the other party well liked; knowing they could demolish all those structures as soon as they received no benefit by them themselves.

The king had, during the time he stayed at Holmby, writ to the house of peers, that his children might have leave to come to him, and to reside for some time with him. From the time that Oxford had been surrendered, upon which the duke of York had fallen into their hands, for they would by no means admit that he should have liberty to go to such place as the king should direct, which was very earnestly pressed, and insisted on by the lords of the council there, as long as they could; but appointed their committee to receive him with all respect, and to bring him to London: from that time, I say, the duke of York was committed to the care of the earl of Northumberland, together with the duke of Gloucester, and the princess, who had been by the king left under the tuition of the countess of Dorset, but from the death of that countess the parliament had presumed, that they might be sure to keep them in their power, to put them into the custody of the lady Vere, an old lady much in their favour, but not at all ambitious of that charge, though there was a competent allowance assigned for their support. They were now removed from her, and



placed all together with the earl of Northumberland, who received and treated them, in all respects, as was suitable to their birth, and his own duty; but could give them no more liberty to go abroad, than he was, in his instructions from the parliament, permitted to do; and they had absolutely refused to gratify the king in that particular; of which his majesty no sooner took notice to Fairfax, than he writ a letter to the "parliament, that the king much desired to have the sight and company of his children, and that if they might not be allowed to be longer with him, that at least they might dine with him;" and he sent them word that, on such a day, "the king, who attended the motion of the army, and was quartered only where they pleased, would dine at Maidenhead." There his children met him, to his infinite content and joy; and he being to quarter and stay some time at Caversham, a house of the lord Craven's, near Reading, his children were likewise suffered to go thither, and remained with him two days; which was the greatest satisfaction the king could receive; and the receiving whereof he imputed to the civility of the general, and the good disposition of the army; which made so much the more impression upon him, in that he had never made any one proposition in which he had been gratified, where the presbyterian spirit had power to deny it.

In the house of commons, which was now the scene of all the action that displeased and incensed the army, (for the house of peers was shrunk into so inconsiderable a number, and their persons not considerable after the death of the earl of Essex, except those who were affected to, or might be disposed by, the army,) they were wholly guided by Hollis, and Stapleton, Lewis, and Glyn, who had been very popular and notorious from the beginning, and by Waller, and Massey, and Brown, who had served in commands in the army, and performed at some times very signal service, and were exceedingly beloved in the city, and two or three others who followed their dictates, and were subservient to their directions. These were all men of parts, interest, and signal courage, and did not only heartily abhor the intentions which they discerned the army to have, and that it was wholly to be disposed according to the designs of Cromwell, but had likewise declared animosities against the persons of the most active and powerful officers; as Hollis had one day, upon a very hot debate in the house, and some rude expressions which fell from Ireton, persuaded him to walk out of the house with him, and then told him, "that he should presently go over the water and fight with him." Ireton told him, "his conscience would not suffer him to fight a duel;" upon which Hollis, in choler, pulled him by the nose; telling him, "if his conscience would keep him from giving men satisfaction, it should keep him from provoking them." This affront to the third person of the army, and to a man of the most virulent, malicious, and revengeful nature of all the pack, so incensed the whole party, that they were resolved one way or other to be rid of him, who had that power in the house, and that reputation abroad, that when he could not absolutely control their designs, he did so obstruct them, that they could not advance to any conclusion.

They resorted therefore to an expedient, which, they had observed, by the conduct of those very

men against whom they meant to apply it, had brought to pass all that they desired; and, in the council of officers, prepared an impeachment of high treason in general terms against Mr. Hollis, and the persons mentioned before, and others, to the number of eleven members of the house of commons. This impeachment twelve officers of the army, colonels, lieutenant colonels, majors, and captains, presented to the house; and within few days after, when they saw the same members still inveigh against and arraign their proceedings, the general and officers writ a letter to the house, "that they would appoint fit persons on their and the kingdom's behalf, to make good the charge against those members whom they had accused;" and that they desired, that those members impeached might be forthwith suspended from sitting in the house; since it could not be thought "fit that the same persons who had so much injured and provoked the army, should sit judges of their own actions." This was an arrow that the house of commons did not expect would have been shot out of that quiver; and though they were unspeakably dismayed, and distracted with this presumption, they answered positively, "that they neither would, nor could, sequester those members from the house, who had never said or done any thing in the house worthy of censure, till proof were made of such particulars as might render them guilty." But the officers of the army replied, "that they could prove them guilty of such practices in the house, that it would be just in the house to suspend them: that by the laws of the land, and the precedents of parliament, the lords had, upon the very presentation of a general accusation without being reduced into writing, sequestered from their house and committed the earl of Strafford, and the archbishop of Canterbury, and the lord Finch; and therefore they must press, and insist upon the suspending at least of those accused members from being present in the house, where they stood impeached; and without this, they said, the army would not be satisfied." However the house of commons seemed still resolute, the accused members themselves, who best knew their temper, thought it safer for them to retire, and by forbearing to be present in the house, to allay the heat of the present contest.

Upon this so palpable declension of spirit in the house, the army seemed much quieter, and resolved to set other agents on their work, that they might not appear too busy and active in their own concernment. It is very true that the city, upon whose influence the parliament wholly depended, appeared now entirely presbyterian; the court of aldermen, and common council, consisted only of men of that spirit; the militia of the city was committed to commissioners carefully and factiously chosen of that party; all those of another temper having been put out of those trusts, at or about the time that the king was delivered up by the Scots, when the officers of the army were content that the presbyterians should believe, that the whole power of the kingdom was in them; and that they might settle what government they pleased; if there remained any persons in any of those employments in the city, it was by their dissimulation, and pretending to have other affections; all who were notorious to be of any other faction in religion, had been put out; and lived

as neglected and discountenanced men; who seemed rather to depend upon the clemency and indulgence of the state, for their particular liberty in the exercise of that religion they adhered to, than to have any hope or ambition to be again admitted into any share or part in the government: yet, after all this dissimulation, Cromwell and Ireton well knew, that the multitude of inferior people were at their disposal, and would appear in any conjuncture they should think convenient; and that many aldermen and substantial citizens were quiet, and appeared not to contradict or oppose the presbyterians, only by their directions; and would be ready upon their call. And now, when they saw those leading men, who had governed the parliament, prosecuted by the army, and that they forebore to come to the house, there flocked together great numbers of the lowest and most inferior people, to the parliament, with petitions of several natures, both with reference to religion and to the civil government; with the noise and clamour whereof the parliament was so offended and disturbed, that they made an ordinance, "that it should be treason to gather and solicit the subscriptions of hands to petitions." But this order so offended all parties, that they were compelled, within two days, to revoke it, and to leave all men to their natural liberty. Whilst this confusion was in the city and parliament, the commissioners, which had been sent to the army to treat with the officers, had no better success; but returned with the positive and declared resolution of the army, "that a declaration should be published by the parliament against the coming in of foreign force:" for they apprehended, or rather were willing that the people should apprehend, a new combination by the Scots: "that the pay of the army should be put into a constant course, and all persons who had received money, should be called to an account: that the militia of London should be put into the hands of persons well affected, and those who had been formerly trusted: that all persons imprisoned for pretended misdemeanours, by order of parliament, or their committees, might be set at liberty; and, if upon trial they should be found innocent, that they might have good reparation." And they particularly mentioned John Lilburn, Overton, and other anabaptists and fanatics, who had been committed by the parliament for many seditious meetings, under pretence of exercise of their religion, and many insolent actions against the government. Upon the report of these demands, the parliament grew more enraged; and voted, "that the yielding to the army in these particulars would be against their honour, and their interest, and destructive to their privileges;" with many expressions against their presumption and insolence: yet, when a new rabble of petitioners demanded, with loud cries, most of the same things, they were willing to compound with them; and consented that the militia of the city of London should be put into such hands as the army should desire.

The militia of the city had been in the beginning of May, shortly after the king's being brought to Holmby, settled with the consent, and upon the desire, of the common council, by ordinance of parliament, in the hands of commissioners, who were all of the presbyterian party, they who were of other inclinations being removed; and, as is

said before, seemed not displeased at their disgrace; and now, when upon the declarations and demands of the army, seconded by clamorous petitions, they saw this ordinance reversed, in the beginning of July, without so much as consulting with the common council according to custom, the city was exceedingly startled; and said, "that if the imperious command of the army could prevail with the parliament to reverse such an ordinance as that of the militia, they had reason to apprehend they might as well repeal the other ordinances for the security of money, or for the purchase of bishops' and church lands, or whatsoever else that was the proper security of the subject." And therefore they caused a petition to be prepared in the name of the city, to be presented by the two sheriffs, and others deputed by the common council to that purpose. But, before they were ready, many thousands, apprentices and young citizens, brought petitions to the parliament; in which they said, "that the command of the militia of the city was the birthright of the city, and belonged to them by several charters which had been confirmed in parliament; for defence whereof, they said, they had ventured their lives as far and as frankly as the army had done; and therefore, they desired that the ordinance of parliament of the fourth of May, which had passed with their consent, might stand inviolable." They first presented their petition to the house of peers, who immediately revoked their late ordinance of July, and confirmed their former of May; and sent it down to the commons for their consent; who durst not deny their concurrence, the apprentices behaving themselves so insolently, that they would scarce suffer the door of the house of commons to be shut; and some of them went into the house.

And in this manner the ordinance was reversed that had been made at the desire of the army, and the other of May ratified and confirmed; which was no sooner done than the parliament adjourned till Friday, that they might have two or three days to consider how they should behave themselves, and prevent the like violences hereafter. The army had quickly notice of these extraordinary proceedings, and the general writ a very sharp letter to the parliament from Bedford; in which he put them in mind, "how civilly the army had complied with their desire, by removing to a greater distance, upon presumption that their own authority would have been able to have secured them from any rudeness, and violence of the people; which it was now evident it could not do, by the unparalleled violation of all their privileges, on the Monday before, by a multitude from the city, which had been encouraged by several common council men, and other citizens in authority; which was an act so prodigious and horrid as must dissolve all government, if not severely and exemplarily chastised: that the army looked upon themselves as accountable to the kingdom, if this unheard of outrage, by which the peace and settlement of the nation, and the relief of Ireland, had been so notoriously interrupted, should not be strictly examined, and justice speedily done upon the offenders." Upon Friday, to which both houses had adjourned, the members came together, in as full numbers as they had used to meet, there being above one hundred and forty of the house of commons; but,

after they had sat some time in expectation of their speaker, they were informed that he was gone out of the town early that morning; and they observed that sir Henry Vane, and some few other members who used to concur with him, were likewise absent. The house of peers found likewise that the earl of Manchester, their speaker, had withdrawn himself, together with the earl of Northumberland, and some other lords; but the major part still remained there, full of indignation against those who were absent, and who they all concluded were gone to the army. Hereupon both houses chose new speakers; who accepted the office; and the commons presently voted, "that the eleven members who stood impeached by the army, and had discontinued coming to the house, should presently appear, and take their places." They made an ordinance of parliament, by which a committee of safety was appointed to join with the city militia, and had authority to raise men for the defence of the parliament; which they appeared so vigorously resolved on, that no man in the houses, or in the city, seemed to intend any thing else. The news of this roused up the army, and the general presently sent a good party of horse into Windsor, and marched himself to Uxbridge, and appointed a general rendezvous for the whole army upon Hounslow heath, within two days; when and where there appeared twenty thousand foot and horse, with a train of artillery, and all other provisions proportionable to such an army.

As soon as the rendezvous was appointed at Hounslow heath, at the same time the king removed to Hampton Court; which was prepared, and put into as good order for his reception, as could have been done in the best time. The houses seemed for some time to retain their spirit and vigour, and the city talked of listing men, and defending themselves, and not suffering the army to approach nearer to them: but, when they knew the day of the rendezvous, those in both houses who had been too weak to carry any thing, and so had looked on whilst such votes were passed as they liked not and could not oppose, now when their friend the army was so near, recovered their spirits, and talked very loud; and persuaded the rest, "to think in time of making their peace with the army, that could not be withstood." And the city grew every day more appalled, irresolute, and confounded, one man proposing this, and another somewhat contrary to that, like men amazed and distracted. When the army met upon Hounslow heath at their rendezvous, the speakers of both houses, who had privately before met with the chief officers of the army, appeared there with their maces, and such other members as accompanied them; complaining to the general, "that they had not freedom at Westminster, but were in danger of their lives by the tumults;" and appealed to the army for their protection.

This looked like a new act of Providence to vindicate the army from all reproaches, and to justify them in all they had done, as absolutely done for the preservation of the parliament and kingdom. If this had been a retreat of sir Harry Vane and some other discontented men, who were known to be independents, and fanatics in their opinions in religion, and of the army faction, who, being no longer able to oppose the wisdom of the parliament, had fled to their friends

for protection from justice, they would have got no reputation, nor the army been thought the better of for their company: but neither of the speakers were ever looked upon as inclined to the army; Lenthall was generally believed to have no malice towards the king, and not to be without good inclinations to the church; and the earl of Manchester, who was speaker of the house of peers, was known to have all the prejudice imaginable against Cromwell; and had formerly accused him of want of duty to the parliament; and the other hated him above all men, and desired to have taken away his life. The earl of Manchester and the earl of Warwick were the two pillars of the presbyterian party; and that they two, with the earl of Northumberland, and some other of the lords, and some of the commons, who had appeared to disapprove all the proceedings of the army, should now join with sir Harry Vane, and appeal to the army for protection, with that formality as if they had brought the whole parliament with them, and had been entirely driven and forced away by the city, appeared to every stander-by so stupendous a thing, that it is not to this day understood otherwise, than that they were resolved to have their particular shares in the treaty, which they believed the chief officers of the army to have near concluded with the king. For that they never intended to put the whole power into the hands of the army, nor had any kindness to, or confidence in, the officers thereof, was very apparent by their carriage and behaviour after, as well as before; and if they had continued together, considering how much the city was devoted to them, it is probable that the army would not have used any force; which might have received a fatal repulse; but that some good compromise might have been made by the interposition of the king. But this schism carried all the reputation and authority to the army, and left none in the parliament; for though it presently appeared, that the number of those who left the houses was very small in comparison of those who remained behind, and who proceeded with the same vigour in declaring against the army, and the city seemed as resolute in putting themselves into a posture, and preparing for their defence, all their works and fortifications being still entire, so that they might have put the army to great trouble if they had steadily pursued their resolutions, (which they did not yet seem in any degree to decline,) yet this rent made all the accused members, who were the men of parts and reputation to conduct their counsels, to withdraw themselves upon the astonishment; some concealing themselves, till they had opportunity to make their peace, and others withdrawing and transporting themselves beyond the seas; whereof Stapleton died at Calais as soon as he landed, and was denied burial, upon imagination that he had died of the plague: others remained a long time beyond the seas; and, though they long after returned, never were received into any trust in those times, nor in truth concurred or acted in the public affairs, but retired to their own estates, and lived very privately.

The chief officers of the army received the two speakers, and the members who accompanied them, as so many angels sent from heaven for

their good; paid them all the respect imaginable, and professed all submission to them, as to the parliament of England; and declared, "that they would reestablish them in their full power, or 'perish in the attempt,'" took very particular care for their accommodations, before the general; and assigned a guard to wait upon them for their security; acquainted them with all their consultations; and would not presume to resolve any thing without their approbation; and they had too much modesty to think they could do amiss, who had prospered so much in all their undertakings. No time was lost in pursuing their resolution to establish the parliament again at Westminster; and finding that the rest of the members continued still to sit there with the same formality, and that the city did not abate any of their spirit, they seemed to make a halt, and to remain quiet, in expectation of a better understanding between them, upon the messages they every day sent to the lord mayor, and aldermen, and common council, (for of those at Westminster they took no notice,) and quartered their army about Brentford, and Hounslow, Twickenham, and the adjacent villages, without restraining any provisions, which every day according to custom were carried to London, or doing the least action that might disoblige or displease the city; the army being in truth under so excellent discipline, that nobody could complain of any damage sustained by them, or any provocation by word or deed. However, in this calm, they sent over colonel Rainsborough with a brigade of horse and foot, and cannon, at Hampton Court, to possess Southwark, and those works which secured that end of London-bridge; which he did with so little noise, that in one night's march he found himself master without any opposition, not only of the borough of Southwark, but of all the works and forts which were to defend it; the soldiers within shaking hands with those without, and refusing to obey their officers which were to command them: so that the city, without knowing that any such thing was in agitation, found in the morning that all that avenue to the town was possessed by the enemy; whom they were providing to resist on the other side, being as confident of this that they had lost, as of any gate of the city.

This struck them dead; and put an end to all their consultation for defence; and put other thoughts into their heads, how they might pacify those whom they had so much offended and provoked; and how they might preserve their city from plunder, and the fury of an enraged army. They who had ever been of the army party, and of late had shut themselves up, and not dared to walk the streets for fear of the people, came now confidently amongst them, and mingled in their councils; declared, "that the king and the army were now agreed in all particulars, and that both houses were now with the army, and had presented themselves to the king; so that to oppose the army would be to oppose the king and parliament, and to incense them as much as the army." Upon such confident discourses and insinuations from those with whom they would not have conversed, or given the least credit to, three days before, or rather upon the confusion and general

distraction they were in, they sent six aldermen and six commoners to the general; who lamented and complained, "that the city should be suspected, that had never acted any thing against the parliament; and therefore, they desired him to forbear doing any thing that might be the occasion of a new war." But the general little considered this message, and gave less countenance to the messengers; but continued his slow marches towards the city: whereupon they sent an humble message to him, "that since they understood that the reason of his march so near London was to restore and settle the members (the lords and commons) of parliament to the liberty and privilege of sitting securely in their several houses, (to which the city would contribute all their power and service,) they prayed him, with all submission, that he would be pleased to send such a guard of horse and foot as he thought to be sufficient for that purpose; and that the ports and all passages should be open to them; and they should do any thing else that his excellency would command." To which he made no other answer but "that he would have all the forts of the west side of the city to be delivered immediately to him;" those of the other side being already, as is said, in the hands of Rainsborough and his other officers. The common council, that sat day and night, upon the receipt of this message, without any pause returned "that they would humbly submit to his command; and that now, under Almighty God, they did rely only upon his excellency's honourable word for their protection and security." And so they caused their militia to be forthwith drawn off from the line, as well as out of the forts, with all their cannon and ordnance; and the general appointed a better guard to both. At Hyde Park the mayor and aldermen met him, and humbly congratulated his arrival; and besought him "to excuse what they had, out of their good meaning and desire of peace, done amiss;" and as a testimony of their affection and duty, the mayor, on the behalf of the city, presented a great gold cup to the general; which he sullenly refused to receive, and, with very little ceremony, dismissed them.

He himself waited upon the two speakers, and conducted them, and their members, to the several houses, where the other members were then sitting: even in the instant when the revolted, as they had called them, entered into the houses, the old speakers assumed their places again, and entered upon their business, as if there had been no separation. The first thing they did, was calling in the general into both houses, and making him a large acknowledgment in the name of each house, of the great favours he had done to them: they thanked him "for the protection he had given to their persons, and his vindication of the privileges of parliament." Then they voted "all that had been done by themselves in going to the army, and in residing there, and all that had been done by the army, to be well and lawfully done;" and "that all that had been done in the houses since their departure, was against law, and privilege of parliament, invalid and void;" then they adjourned to the next day,

without questioning or punishing any member who had acted there.

The army of horse, foot, and cannon, marched the next day through the city, (which, upon the desire of the parliament, undertook forthwith to supply an hundred thousand pounds for the payment of the army,) without the least disorder, or doing the least damage to any person, or giving any disrespectful word to any man: by which they attained the reputation of being in excellent discipline, and that both officers and soldiers were men of extraordinary temper and sobriety. So they marched over London-bridge into Southwark, and to those quarters to which they were assigned; some regiments were quartered in Westminster, the Strand, and Holborn, under pretence of being a guard to the parliament, but, intended as a guard upon the city. The general's head-quarters were at Chelsea, and the rest of the army quartered between Hampton Court and London, that the king might be well looked to; and the council of officers, and agitators, sat constantly and formally at Fulham and Chelsea, to provide that no other settlement should be made for the government of the kingdom than what they should well approve.

Whilst these things were thus agitated between the army and the parliament and the city, the king enjoyed himself at Hampton Court, much to his content; the respects of the chief officers of the army seeming much greater than they had been; Cromwell himself came oftener to him, and had longer conferences with him; talked with more openness to Mr. Ashburnham than he had done, and appeared more cheerful. Persons of all conditions repaired to his majesty of those who had served him; with whom he conferred without reservation; and the citizens flocked thither as they had used to do at the end of a progress, when the king had been some months absent from London: but that which pleased his majesty most, was, that his children were permitted to come to him, in whom he took great delight. His eldest daughter was married, and had been some time in Holland; the prince was in France, but all the rest of his children were in the power of the parliament, except only the youngest, the princess Henrietta, whom he had never seen, she being born at Exeter very little before the queen's transportation into France; and after the surrender of Exeter, having been by her governess the countess of Morton stolen away, and with great success carried into France to the queen, whilst the king was at Newcastle, according to the command she had received. When the king left Oxford, to make an escape from the army, and to put himself into the hands of the Scots, he could not but leave the duke of York behind him, whom he had before thought to have sent into Ireland, when he believed his affairs there to be in a better condition than he then understood them to be; and so he remained in Oxford when that place was surrendered. His highness was received by the committee of the parliament, to whom then the army paid all obedience; nor would it be admitted into the treaty that his highness should have liberty to go to such place as the king should appoint. There were at the same time the duke of Gloucester, and two

princesses, who had been all under the care of the countess of Dorset, the governess appointed by the king; but she being lately dead, and one of the princesses likewise departed this life, when the duke of York was brought up to London, he and the other two were all committed by the parliament to the care and government of the earl of Northumberland, who treated them in all respects as was agreeable to their quality and his duty. They were all at the earl of Northumberland's house, at Sion, from the time the king came to Hampton Court, and had liberty to attend his majesty when he pleased; so that sometimes he sent for them to come to Hampton Court, and sometimes he went to them to Sion; which gave him great divertisement.

In this conversation, as if his majesty had foreseen all that befell him afterwards, and which at that time sure he did not suspect, he took great care to instruct his children how to behave themselves, if the worst should befall him that the worst of his enemies did contrive or wish; and "that they should preserve unshaken their affection and duty to the prince their brother." The duke of York was then about fifteen years of age; and so, capable of any information or instruction the king thought fit to give him. His majesty told him, "that he looked upon himself as in the hands and disposal of the army, and that the parliament had no more power to do him good or harm, than as the army should direct or permit; and that he knew not, in all this time he had been with them, what he might promise himself from those officers of the army at whose devotion it was: that he hoped well, yet with much doubt and fear; and therefore he gave him this general direction and command, that if there appeared any such alteration in the affection of the army, that they restrained him from the liberty he then enjoyed of seeing his children, or suffered not his friends to resort to him with that freedom that they enjoyed at present, he might conclude they would shortly use him worse, and that he should not be long out of a prison; and therefore that from the time he discovered such an alteration, he should bethink himself how he might make an escape out of their power, and transport himself beyond the seas." The place he recommended to him was Holland; where he presumed his sister would receive him very kindly, and that the prince of Orange her husband would be well pleased with it, though, possibly, the States might restrain him from making those expressions of his affection his own inclination prompted him to. He wished him to think always of this, as a thing possible to fall out, and so spake frequently to him of it, and of the circumstances and cautions which were necessary to attend it.

The princess Elizabeth was not above a year or two younger than the duke, a lady of excellent parts, great observation, and an early understanding; which the king discerned, by the account she gave him both of things and persons, upon the experience she had had of both. His majesty enjoined her, "upon the worst that could befall him, never to be disposed of in marriage without the consent and approbation of the queen her mother, and the prince her brother; and always to perform all duty and obedience to both those; and to obey the queen in all things, except in matter of

"religion; to which he commanded her, upon his blessing, never to hearken or consent; but to continue firm in the religion she had been instructed and educated in, what discountenance and ruin soever might befall the poor church, at that time under so severe prosecution."

The duke of Gloucester was very young, being at that time not above seven years old, and so might well be thought incapable of retaining that advice, and injunction, which in truth ever after made so deep impression in him. After he had given him all the advice he thought convenient in the matter of religion, and commanded him positively, "never to be persuaded or threatened out of the religion of the church, in which he hoped he would be well instructed, and for the purity and integrity whereof he bid him remember that he had his father's testimony and authority;" his majesty told him, "that his infancy, and the tenderness of his years, might persuade some men to hope and believe, that he might be made an instrument, and property, to advance their wicked designs; and if they should take away his life, they might, possibly, the better to attain their own ends, make him king; that under him, whilst his age would not permit him to judge, and act for himself, they might remove many obstructions which lay in their way; and form and unite their councils; and then they would destroy him too. But he commanded him, upon his blessing, never to forget what he said to him upon this occasion, nor to accept, or suffer himself to be made king, whilst either of his elder brothers lived, in what part of the world soever they should be: that he should remember that the prince his brother was to succeed him by the laws of God and man; and, if he should miscarry, that the duke of York was to succeed in the same right; and therefore that he should be sure never to be made use of to interrupt or disturb either of their rights; which would in the end turn to his own destruction." And this discourse the king reiterated to him, as often as he had liberty to see him, with all the earnestness and passion he could express; which was so fixed in his memory that he never forgot it. And many years after, when he was sent out of England, he made the full relation of all the particulars to me, with that commotion of spirit, that it appeared to be deeply rooted in him; and made use of one part of it very seasonably afterwards, when there was more than an ordinary attempt made to have perverted him in his religion, and to persuade him to become Roman catholic for the advancement of his fortune.

In this manner, and with these kind of reflections, the king made use of the liberty he enjoyed; and considered as well, what remedies to apply to the worst that could fall out, as to caress the officers of the army in order to the improvement of his condition, of which he was not yet in any despair; the chief officers, and all the heads of that party, looking upon it as their wisest policy to cherish the king's hopes by the liberty they gave him, and by a very flowing courtesy towards all who had been of his party; whose expectation, and good word, and testimony, they found did them much good both in the city and the country.

At this time the lord Capel, whom we left in Jersey, hearing of the difference between the parliament and the army, left his two friends there; and made a journey to Paris to the prince, that he

might receive his highness's approbation of his going for England; which he very willingly gave; well knowing that he would improve all opportunities, with great diligence, for the king his father's service: and then that lord transported himself into Zealand, his friends having advised him to be in those parts before they endeavoured to procure a pass for him; which they easily did, as soon as he came thither; and so he had liberty to remain at his own house in the country, where he was exceedingly beloved, and hated nowhere. And in this general and illimited indulgence, he took the opportunity to wait upon the king at Hampton Court; and gave him a particular account of all that passed at Jersey, before the prince's remove from thence, and of the reasons which induced those of the council to remain still there, and of many other particulars, of which his majesty had never before been informed, and which put it out of any body's power to do the chancellor of the exchequer any ill offices: and from thence the king writ, with his own hand, a very gracious and kind letter to the chancellor at Jersey; full of hope "that he should conclude such a treaty with the army and parliament, that he should shortly draw him, and some other of his friends, to him." He thanked him "for undertaking the work he was upon; and told him, he should expect speedily "to receive some contribution from him towards it;" and, within a very short time afterwards, he sent to him his own memorials (or those which by his command had been kept, and were perused, and corrected by himself) of all that had passed from the time he had left his majesty at Oxford, when he waited upon the prince into the west, to the very day that the king left Oxford to go to the Scots; out of which memorials, as hath been said before, the most important passages in the years 1644 and 1645 are faithfully collected. To the lord Capel his majesty imparted all his hopes and all his fears; and what great overtures the Scots had again made to him; and "that he did really believe that it could not be long before there would be a war between the two nations; in which the Scots promised themselves an universal concurrence from all the presbyterians in England; and that, in such a conjuncture, he wished that his own party would put themselves in arms, without which he could not expect great benefit by the success of the other;" and therefore desired Capel "to watch such a conjuncture, and draw his friends together;" which he promised to do effectually; and did, very punctually, afterwards, to the loss of his own life. Then the king enjoined him "to write to the chancellor of the exchequer, that whenever the queen, or prince, should require him to come to them, he should not fail to yield obedience to their command;" and himself writ to the queen, "that whenever the season should be ripe for the prince to engage himself in any action, she should not fail to send for the chancellor of the exchequer to wait upon him in it." And many things were then adjusted, upon the foresight of future contingencies, which were afterwards thought fit to be executed.

The marquis of Ormond had, by special command and order from the king whilst he was with the Scots at Newcastle, delivered up the city of Dublin to the parliament, after the Irish had so infamously broken the peace they had made with the king, and brought their whole army before Dublin

to besiege it; by which he was reduced to those straits, that he had no other election than to deliver it to the Irish, or to the parliament; of which his majesty being informed, determined, he should give it to the parliament; which he did, with full conditions for all those who had served his majesty; and so transported himself into England, and, from London, presented himself to the king at Hampton Court; who received him with extraordinary grace, as a person who had served him with great zeal and fidelity, and with the most universal testimony of all good men that any man could receive. He used less application to the parliament and army than other men, relying upon the articles the parliament had signed to him; by which he had liberty to stay so many months in England, and at the end thereof to transport himself into the parts beyond the seas, if in the mean time he made no composition with the parliament: which he never intended to do; and though he knew well that there were many jealous eyes upon him, he repaired frequently to present his duty to the king; who was exceedingly pleased to confer with him, and to find that he was resolved to undertake any enterprise that might advance his service; which the king himself, and most other men who wished well to it, did at that time believe to be in no desperate condition. And no men were fuller of professions of duty, and a resolution to run all hazards, than the Scottish commissioners; who, from the time they had delivered up the king, resided at London with their usual confidence, and loudly complained of the presumption of the army in seizing upon the person of the king, insinuated themselves to all those who were thought to be most constant, and inseparable from the interest of the crown, with passionate undertaking that their whole nation would be united, to a man, in any enterprise for his service. And now, from the time his majesty came to Hampton Court, they came to him with as much presumption as if they had carried him to Edinburgh; which was the more notorious, and was thought to signify the more, because their persons were known to be most odious to all the great officers in the army, and to those who now governed in the parliament. Here the foundation of that engagement was laid, which was endeavoured to be performed the next year ensuing, and which the Scots themselves then communicated to the marquis of Ormond, the lord Capel, and other trusty persons; as if there was nothing else intended in it than a full vindication of all his majesty's rights and interest.

When the army had thus subdued all opposition, and the parliament and they seemed all of a piece, and the refractory humours of the city seemed to be suppressed, and totally tamed, the army seemed less regardful of the king than they had been; the chief officers came rarely to Hampton Court, nor had they the same countenances towards Ashburnham and Berkley, as they used to have; they were not at leisure to speak with them, and when they did, asked captious questions, and gave answers themselves of no signification. The agitators, and council of officers, sent some propositions to the king, as ruinous to the church and destructive to the regal power, as had been yet made by the parliament; and, in some respects, much worse, and more dishonourable; and said, "if his majesty would consent  
"thereunto, they would apply themselves to the

"parliament, and do the best they could to persuade them to be of the same opinion." But his majesty rejected them with more than usual indignation, not without some reproaches upon the officers, for having deluded him, and having prevailed in all their own designs, by making the world believe that they intended his majesty's restoration and settlement, upon better conditions than the parliament was willing to admit. By this manner of resentment, the army took itself to be disobliged, and used another language in their discourse of the king than they had, for some months, used to do; and such officers who had formerly served the king, and had been civilly treated and sheltered in the quarters of the army, were now driven from thence. And they who had been kind to them, withdrew themselves from their acquaintance; and the sequestrations of all the estates of the cavaliers, which had been intermitted, were revived with as much rigour as ever had been before practised, and the declared delinquents racked to as high compositions; which if they refused to make, their whole estates were taken from them, and their persons exposed to affronts, and insecurity; but this was imputed to the prevalence of the presbyterian humour in the parliament against the judgment of the army: and it is very true, that though the parliament was so far subdued, that it no more found fault with what the army did, nor complained that it meddled in determining what settlement should be made in the government; yet, in all their own acts and proceedings, they prosecuted a presbyterian settlement as earnestly as they could. The covenant was pressed in all places, and the anabaptists and other sects, which begun to abound, were punished, restrained, and discountenanced; which the army liked not, as a violation of the liberty of tender consciences; which, they pretended, was as much the original of the quarrel, as any other grievance whatsoever.

[In this year, 1647,] they had made a visitation of the university of Oxford; in which the earl of Pembroke had been contented to be employed as chancellor of the university, who had taken an oath to defend the rights and privileges of the university: notwithstanding which, out of the extreme weakness of his understanding, and the miserable compliance of his nature, he suffered himself to be made a property in joining with Brent, Pryn, and two or three other presbyterian ministers, as commissioners for the parliament to reform the discipline and erroneous doctrine of that famous university, by the rule of the covenant; which was the standard of all men's learning, and ability to govern; all persons of what quality soever being required to subscribe that test; which the whole body of the university was so far from submitting to, that they met in their convocation, and, to their eternal renown, (being at the same time under a strict and strong garrison, put over them by the parliament; the king in prison; and all their hopes desperate,) passed a public act, and declaration against the covenant, with such invincible arguments of the illegality, wickedness, and perjury contained in it, that no man of the contrary opinion, nor the assembly of the divines, (which then sat at Westminster, forming a new catechism, and scheme of religion,) ever ventured to make any answer to it; nor is it indeed to be answered, but must remain to the world's end, as a monument of the



learning, courage, and loyalty, of that excellent place, against the highest malice and tyranny that was ever exercised in or over any nation; and which those famous commissioners only answered by expelling all those who refused to submit to their jurisdiction, or to take the covenant; which was, upon the matter, the whole university; scarce one governor and master of college or hall, and an incredible small number of the fellows, or scholars, submitting to either: whereupon that desolation being made, they placed in their rooms the most notorious factious presbyterians, in the government of the several colleges or halls; and such other of the same leaven in the fellowships, and scholars' places, of those whom they had expelled, without any regard to the statutes of the several founders, and the incapacities that were declared by those. The omnipotence of an ordinance of parliament confirmed all that was this way done; and there was no farther contending against it.

It might reasonably be concluded that this wild and barbarous depopulation would even extirpate all that learning, religion, and loyalty, which had so eminently flourished there; and that the succeeding ill husbandry, and unskilful cultivation, would have made it fruitful only in ignorance, profanation, atheism, and rebellion; but, by God's wonderful blessing, the goodness and richness of that soil could not be made barren by all that stupidity and negligence. It choked the weeds, and would not suffer the poisonous seeds, which were sown with industry enough, to spring up; but after several tyrannical governments, mutually succeeding each other, and with the same malice and perverseness endeavouring to extinguish all good literature and allegiance, it yielded a harvest of extraordinary good and sound knowledge in all parts of learning; and many who were wickedly introduced applied themselves to the study of good learning, and the practice of virtue, and had inclination to that duty and obedience they had never been taught; so that when it pleased God to bring the king [Charles the Second] back to his throne, he found that university (not to undervalue the other, which had nobly likewise rejected the ill infusions which had been industriously poured into it) abounding in excellent learning, and devoted to duty and obedience, little inferior to what it was before its desolation; which was a lively instance of God's mercy, and purpose, for ever so to provide for his church, that the gates of hell shall never prevail against it; which were never opened wider, nor with more malice, than in that time.

These kinds of proceedings in all places, blasted all the king's hopes, and deprived him of all the rest and quiet he had for some time enjoyed; nor could he devise any remedy. He was weary of depending upon the army, but neither knew how to get from them, nor whither else to resort for help. The officers of those guards which were assigned to attend his person, and who had behaved themselves with good manners, and duty towards him, and very civilly towards those of his party who had used to wait upon his majesty, begun now to murmur at so great resort to him, and to use many, who came, rudely; and not to suffer them to go into the room where the king was; or, which was worse, put them out when they were there; and when his majesty seemed to take notice and be troubled at it, they appeared not to be concerned, nor answered him with that duty they had

used to do. They affronted the Scottish commissioners very notably, and would not suffer them to speak with the king; which caused an expostulation from the parliament; which removed the obstruction for the future, but procured no satisfaction for the injury they had received, nor made the same officers more civil towards their persons. Ashburnham and Berkley received many advertisements from some officers with whom they had most conversed, and who would have been glad that the king might have been restored by the army for the preferments which they expected might fall to their share, "that Cromwell and Ireton resolved never to trust the king, or to do any thing towards his restoration;" and they two steered the whole body; and therefore they advised, "that some way might be found to remove his majesty out of their hands." Major Huntington, one of the best officers they had, and major to Cromwell's own regiment of horse, upon whom he relied in any enterprise of importance more than upon any man, had been employed by him to the king, to say those things from him which had given the king the most confidence, and was much more than he had ever said to Ashburnham; and the major did really believe that he had meant all he said, and the king had a good opinion of the integrity of the major, upon the testimony he had received from some he knew had no mind to deceive his majesty; and the man merited the testimony they gave him. He, when he observed Cromwell to grow colder in his expressions for the king than he had formerly been, expostulated with him in very sharp terms, for "abusing him, and making him the instrument to cozen the king;" and, though the other endeavoured to persuade him that all should be well, he informed his majesty of all he had observed; and told him, "that Cromwell was a villain, and would destroy him if he were not prevented;" and, in a short time after, he gave up his commission, and would serve no longer in the army. Cromwell himself expostulated with Mr. Ashburnham, and complained "that the king could not be trusted; and that he had no affection or confidence in the army, but was jealous of them, and of all the officers: that he had intrigues in the parliament, and treaties with the presbyterians of the city, to raise new troubles; that he had a treaty concluded with the Scottish commissioners to engage the nation again in blood; and therefore he would not be answerable if any thing fell out amiss, and contrary to expectation;" and that was the reason, besides the old animosity, that had drawn on the affront, which the commissioners had complained of. What that treaty was, and what it produced, will be mentioned in a more proper time.

There was at this time a new faction grown up in the army, which were either by their own denomination, or with their own consent, called *levellers*: who spoke insolently and confidently against the king and parliament, and the great officers of the army; and professed as great malice against all the lords, as against the king; and declared, "that all degrees of men should be levelled, and an equality should be established, both in titles and estates throughout the kingdoms." Whether the raising this spirit was a piece of Cromwell's ordinary witchcraft, in order to some of his designs, or whether it grew amongst those tares which had been sowed in that confusion,



certain it is, it gave him real trouble at last, (which must be set down hereafter;) but the present use he made of it was, that, upon the licentious discourse of that kind, which some soldiers upon the guard usually made, the guard upon the king's person was doubled; a restraint put upon the great resort of people who came to see the king; and all pretended to be for his security, and to prevent any violence that might be attempted upon his life; which they seemed to apprehend, and detest. In the mean time, they neither hindered his majesty from riding abroad to take the air, nor from doing any thing he had a mind to, nor restrained those who waited upon him in his bedchamber, nor his chaplains from performing their functions; though towards all these there was less civility exercised than had been; and the guards which waited nearest were more rude, and made more noise at unseasonable hours than they had been accustomed to do; the captain who commanded them, colonel Whaley, being a man of a rough and brutal temper, who had offered great violence to his nature, when he appeared to exercise any civility and good manners. The king, every day, received little billets or letters, secretly conveyed to him without any name, which advertised him of wicked designs upon his life, and some of them advised him to make an escape, and repair secretly into the city, where he should be safe; some letters directing him to such an alderman's house; all which his majesty looked upon as artifice to lead him into some straits, from whence he should not easily explicate himself; and yet many who repaired to him brought the same advice from men of unquestionable sincerity, by what reason soever they were swayed.

The king found himself in great perplexity, from what he discerned, and observed himself, as well as what he heard from others; but what use to make of the one or the other, was very hard to resolve: he did really believe that their malice was at the height, and that they did design his murder, but knew not which was a probable way to prevent it. The making an escape, if it were not contrived with wonderful sagacity, would expose him to be assassinated, by pretended ignorance, and would be charged upon himself; and if he could avoid their guards, and get beyond them undiscovered, whither should he go? and what place would receive and defend him? The hope of the city seemed not to him to have a foundation of reason; they had been too late subdued to recover courage for such an adventure; and the army now was much more master of it than when they desponded. There is reason to believe that he did resolve to transport himself beyond the seas, which had been no hard matter to have brought to pass; but with whom he consulted for the way of doing it, is not to this day discovered; they who were instrumental in his remove, pretending to know nothing of the resolution, or counsel. But, one morning, [being the eleventh of November,] the king having, the night before, pretended some indisposition, and that he would go to his rest, they who went into his chamber, found that he was not there, nor had been in his bed that night. There were two or three letters found upon his table, writ all with his own hand, one to the parliament, another to the general; in which he declared "the reason of his remove to be, an apprehension that some desperate persons

"had a design to assassinate him; and therefore "he had withdrawn himself with a purpose of remaining concealed, until the parliament had "agreed upon such propositions as should be fit "for him to consent to; and he would then appear, "and willingly consent to any thing that should "be for the peace and happiness of the kingdom." There were discovered the treading of horses at a back door of the garden into which his majesty had a passage out of his chamber; and it is true that way he went, having appointed his horse to be there ready at an hour, and sir John Berkley, Ashburnham, and Legg, to wait upon him, the two last being of his bedchamber. Ashburnham alone seemed to know what they were to do, the other two having received only orders to attend. When they were free from the apprehension of the guards, and the horse quarters, they rode towards the [south-]west, and towards that part of Hampshire which led to the New Forest. The king asked Ashburnham, where the ship lay? which made the other two conclude that the king resolved to transport himself. After they had made some stay in that part next the sea, and Ashburnham had been some time absent, he returned without any news of the ship; with which the king seemed troubled. Upon this disappointment, the king thought it best, for avoiding all highways, to go to Titchfield, a noble seat of the earl of Southampton's, (who was not there,) but inhabited by the old lady his mother with a small family, which made the retreat the more convenient: there his majesty alighted, and would speak with the lady; to whom he made no scruple of communicating himself, well knowing her to be a lady of that honour and spirit, that she was superior to all kind of temptation. There he refreshed himself, and consulted with his three servants, what he should next do, since there was neither ship ready, nor could they presume that they could remain long there undiscovered.

In this debate, the Isle of Wight came to be mentioned (as they say) by Ashburnham, as a place where his majesty might securely repose himself, until he thought fit to inform the parliament where he was. Colonel Hammond was governor there, an officer of the army, and of nearest trust with Cromwell, having by his advice been married to a daughter of John Hamden, whose memory he always adored; yet, by some fatal mistake, this man was thought a person of honour and generosity enough to trust the king's person to, and Ashburnham and Berkley were sent to him with orders, "first to be sure that the man would faithfully promise not to deliver his majesty up, "though the parliament or army should require "him; but to give him his liberty to shift for himself, if he were not able to defend him: and "except he would make that promise, they should "not let him know where his majesty was, but "should return presently to him." With this commission they two crossed the water to the Isle of Wight, the king in the mean time reposing himself at Titchfield. The next day they found colonel Hammond, who was known to them both, who had conversation with him in the army, when the king was well treated there, (and their persons had been very civilly treated by most of the officers, who thought themselves qualified sufficiently for court preferments.) They told him, "that the "king was withdrawn from the army;" of which

he seemed to have had no notice, and to be very much surprised with it. They then said, "that the king had so good an opinion of him, knowing him to be a gentleman, and for his relation to Dr. Hammond, (whose nephew he was,) that he would trust his person with him, and would from thence write to the parliament, if he would promise that if his message had not that effect which he hoped it would have, he would leave him to himself to go whither he thought fit, and would not deliver him to the parliament, or army, if they should require it." His answer was, "that he would pay all the duty and service to his majesty that was in his power; and, if he pleased to come thither, he would receive and entertain him as well as he could; but that he was an inferior officer, and must obey his superiors in whatsoever they thought fit to command him;" with which when he saw they were not satisfied, he asked, "where the king was?" to which they made no other answer, "but that they would acquaint his majesty with his answer, and, if he were satisfied with it, they would return to him again." He demanded "that Mr. Ashburnham would stay with him, and that the other might go to the king;" which Mr. Ashburnham refused to do.

After some time spent in debate, in which he made many expressions of his desire to do any service to his majesty, they were contented that he should go with them; and Ashburnham said, "he would conduct him to the place where the king was;" and so, he commanding three or four servants or soldiers to wait on him, they went together to Titchfield; and, the other staying below, Ashburnham went up to the king's chamber. When he had acquainted him with all that had passed, and that Hammond was in the house, his majesty broke out in a passionate exclamation, and said, "O Jack, thou hast undone me!" with which the other falling into a great passion of weeping, offered to go down, and to kill Hammond: to which his majesty would not consent; and, after some pausing and deliberation, sent for him up, and endeavoured to persuade him to make the same promise, which had before been proposed: to which he made the same answer he had done, but with many professions of doing all the offices he could for his majesty; and seemed to believe that the army would do well for him. The king believed that there was now no possible way to get from him, he having the command of the country, and could call in what help he would; and so went with him into the Isle of Wight, and was lodged at Carisbrook-castle, with all demonstration of respect and duty.

It never appeared afterwards that the king was maliciously betrayed to this unhappy peregrination, by the treachery and practice of those he trusted; and his majesty himself never entertained the least jealousy, or suspicion of it: yet the whole design appeared to be so weakly contrived, the not being sure of a ship, if the resolution were fixed for embarking, which was never manifest, the making choice of the Isle of Wight, and of Hammond to be trusted, since nothing fell out which was not to be reasonably foreseen and expected, and the bringing him to Titchfield, without the permission of the king, if not directly contrary to it, seemed to be all so far from a rational design and conduct, that most men did believe

there was treason in the contrivance, or that his majesty intrusted those who were grossly imposed upon and deceived by his greatest enemies. Legg had had so general a reputation of integrity, and fidelity to his master, that he never fell under the least imputation or reproach with any man: he was a very punctual and steady observer of the orders he received, but no contriver of them; and though he had in truth a better judgment and understanding than either of the other two, his modesty and diffidence of himself never suffered him to contrive bold counsels. Berkley was less known among those persons of honour and quality who had followed the king, being in a very private station before the war, and his post in it being in the farthest corner of the kingdom, and not much spoken of till the end of it, when he was not beholden to reports; his ambition and vanity were well known to be predominant in him, and that he had great confidence in himself, and did not delight to converse with those who had not; but he never fell under any blemish of disloyalty, and he took care to publish that this enterprise of the king's was so totally without his privity, that he was required to attend on horseback at such an hour, and had not the least intimation of his majesty's purpose what he intended to do. Another particular, which was acknowledged by Hammond, did him much credit, that when Hammond demanded that Ashburnham should remain with him whilst the other went to the king, which Ashburnham refused to do, Berkley did offer himself to remain with him whilst Ashburnham should attend his majesty; so that the whole weight of the prejudice and reproach was cast upon Ashburnham; who was known to have so great an interest in the affections of his master, and so great an influence upon his counsels and resolutions, that he could not be ignorant of any thing that moved him.

The not having a ship ready, if it were intended, was unexcusable; and the putting the king into Hammond's hands without his leave, could never be wiped out. There were some who said, that Ashburnham resolved that the king should go to the Isle of Wight, before he left Hampton Court; and the lord Langdale often said, "that being in Mr. Ashburnham's chamber at that time, he had the curiosity, whilst the other went out of the room, to look upon a paper that lay upon the table; in which was writ, that it would be best for the king to withdraw from the army, where he was in such danger; and that the Isle of Wight would be a good retreat, where colonel Hammond commanded; who was a very honest man." And this was some days before his majesty removed. And then it was observed, that Hammond himself left the army but two or three days before the king's remove, and went to the Isle of Wight at a season when there was no visible occasion to draw him thither, and when the agitators in the army were at highest; and it was looked upon with the more wonder, because Ashburnham was not afterwards called in question for being instrumental in the king's going away, but lived unquestioned long after in the sight of the parliament, and in conversation with some of the officers of the army who had most deceived him; and, which was more censured than all the rest, that after the murder of the king he compounded, as was reported, at an easy rate, and lived at ease,

and grew rich, for many years together without interruption.

On the other hand, he preserved his reputation and credit with the most eminent of the king's party; and his remaining in England was upon the marriage of a lady by whom he had a great fortune, and many conveniences; which would have been seized by his leaving the kingdom; and he did send over to the king, and had leave to stay there; and sometimes supplied the king with considerable sums of money. Afterwards he was committed to the Tower by Cromwell, where he remained till his death; and the king was known to have had, to the last, a clear opinion of his affection and integrity; and when the king [Charles the Second] returned, most of those of greatest reputation, as the marquis of Hertford, and the earl of Southampton, gave him a good testimony; yet, after his majesty's return, the old discourses were revived, and major Huntington did affirm, "that Mr. Ashburnham did intend the king should go to the Isle of Wight, before he left Hampton Court." And many who did not believe him to be corrupted, did still think that Cromwell and Ireton had overwitted him, and persuaded him, upon great promises, that it should prove for his majesty's benefit, and that they should the sooner do his business, that he should withdraw from the army, and put himself into Hammond's hands; for if in truth transportation had been thought of, it is hard to believe that a ship would not have been provided.

Sir John Berkley, who, shortly after the king's being in the Isle of Wight, had transported himself into France, and remained still with the duke of York to the time of his majesty's [king Charles the Second's] return, and Mr. Ashburnham, who continued in England, and so the more liable to reproach, had been so solicitous to wipe off the aspersions which were cast upon them jointly, that they had no care to preserve the reputation of a joint innocence; but whilst each endeavoured to clear himself, he objected or imputed somewhat to the other, that made him liable to just censure; and, in this contention, their friends mentioned their several discourses so loudly, and so passionately for the credit and reputation of him whom they loved best, that they contracted a very avowed animosity against each other; insomuch as it was generally believed upon the king's return, that they would, with some fierceness, have expostulated with each other in that way which angry men choose to determine the right, or that both of them would have desired the king to have caused the whole to be so strictly examined, that the world might have discerned, where the faults or oversights had been, if no worse could have been charged upon them: but they applied themselves to neither of those expedients, and lived only as men who took no delight in each other's conversation, and who did not desire to cherish any familiarity together. And the king, who was satisfied that there had been no treasonable contrivance, (from which his father had absolved them,) did not think it fit, upon such a subject, to make strict inquisition into inadvertencies, indiscretions, and presumptions, which could not have been punished proportionally.

It is true that they both writ apologies, or narrations of all that had passed in that affair, which they made not public, but gave in writing to such of their friends in whose opinions they most desired

to be absolved, without any inclination that one should see what the other had writ; in which, though there were several reflections upon each other, and differences in occurrences of less moment, there was nothing in either that seemed to doubt of the integrity of the other; nor any clear relation of any probable inducement that prevailed with the king to undertake that journey. I have read both their relations, and conferred with both of them at large, to discover in truth what the motives might be which led to so fatal an end; and, if I were obliged to deliver my own opinion, I should declare that neither of them were, in any degree, corrupted in their loyalty or affection to the king, or suborned to gratify any persons with a disservice to their master. They were both of them great opiniators, yet irresolute, and easy to be shaken by any thing they had not thought of before; and exceedingly undervalued each other's understanding; but, as it usually falls out in men of that kind of composition and talent, they were both disposed to communicate more freely with, and, consequently, to be advised by new acquaintance, and men they had lately begun to know, than old friends, and such whose judgments they could not but esteem; who they had no mind should go sharers with them in the merit of any notable service which they thought themselves able to bring to pass. Then, in the whole managery of the king's business, from the time that they came into the army, they never conversed with the same persons; but governed themselves by what they received from those whose correspondence they had chosen. Ashburnham seemed wholly to depend upon Cromwell and Ireton; and rather upon what they said to others than to himself. For besides outward civilities, which they both exercised towards him more than to other men, they seldom held private discourse with him, persuading him "that it was better for both their ends, in respect of the jealousy the parliament had of them, that they should understand each other's mind, as to the transaction of any particulars, from third persons mutually intrusted between them, than from frequent consultations together;" and so sir Edward Ford, who had married Ireton's sister, but had been himself an officer in the king's army from the beginning of the war, and a gentleman of good meaning, though not able to fathom the reserved and dark designs of his brother-in-law, was trusted to pass between them, with some other officers of the army, who had given Ashburnham some reason to believe that they had honest purposes.

Berkley had not found that respect, from Cromwell and Ireton, that he expected; at least discerned it to be greater towards Ashburnham, than it was to him; which he thought evidence enough of a defect of judgment in them; and therefore had applied himself to others, who had not so great names, but greater interest, as he thought, in the soldiers. His chief confidence was in Dr. Staines, who, though a doctor in physic, was quarter master general of the army; and one Watson, who was scout master general of the army; both of the council of war, both in good credit with Cromwell, and both notable fanatics, and professed enemies to the Scots and the presbyterians, and, no doubt, were both permitted and instructed to caress sir John Berkley, and, by admiring his wisdom and conduct, to oblige him to depend on theirs; and

dissimulation had so great and supreme an influence on the hearts and spirits of all those who were trusted and employed by Cromwell, that no man was safe in their company, but he who resolved before, not to believe one word they said. These two persons knew well how to humour sir John Berkley, who believed them the more, because they seemed very much to blame Ireton's stubbornness towards the king, and to fear that he often prevailed upon Cromwell against his own inclinations: they informed him of many particulars which passed in the council of officers, and sometimes of advice from Cromwell, that was clean contrary to what the king received by Ashburnham as his opinion, and which was found afterwards to be true, (as it may be the other was too,) which exceedingly confirmed sir John in the good opinion he had of his two friends. They were the first who positively advertised the king by him, that Cromwell would never do him service; and the first who seemed to apprehend that the king's person was in danger, and that there was some secret design upon his life.

I do not believe that sir John Berkley knew any thing of the king's purpose in his intended escape, or whether he resolved to go, or, indeed, more of it than that he resolved at such an hour, and in such a place, to take horse, and was himself required to attend him; nor do I, in truth, think that the king himself, when he took horse, resolved whither to go. Some think he meant to go into the city; others, that he intended for Jersey; and that was the ground of the question to Mr. Ashburnham, "Where is the ship?" Certain it is that the king never thought of going to the Isle of Wight. I am not sure that Mr. Ashburnham, who had not yet given over all hope of the chief officers of the army, and believed the alterations, which had fallen out, proceeded from the barbarity of the agitators, and the levelling party, had not the Isle of Wight in his view from the beginning, that is, from the time his majesty thought it necessary to make an escape from the army. It had been a difficult task to go about to dissuade the king from an apprehension of his own safety, when it was much more natural to fear an assassination, than to apprehend any thing that they did afterwards do. Mr. Ashburnham had so great a detestation of the Scots, that he expected no good from their fraternity, the presbyterians of the city; and did really believe that if his majesty should put himself into their hands, as was advised by many, with a purpose that he should be there concealed, till some favourable conjuncture should offer itself, (for nobody imagined that, upon his arrival there, the city would have declared for him, and have entered into a contest with that army which had so lately subdued them,) I say he had no confidence in the security of such an escape, and very earnestly dissuaded his master from entertaining the thought of it; and this opinion of his was universally known, and, as hath been said before, was an ingredient into the composition of that civility and kindness the officers of the army had for him. They did, to him, frequently lament the levelling spirit that was gotten into the soldiers, which they foresaw would in the future be as inconvenient and mischievous to themselves, as it was, for the present, dangerous to the person of the king; which they seemed wonderfully to apprehend, and protested "that they

"knew not how to apply any remedy to it, whilst "his majesty was in the army; but that they "would quickly correct or subdue it, if the king "were at any distance from them;" and it is not impossible, that, in such discourses, somebody who was trusted by them, if not one of themselves, might mention the Isle of Wight as a good place to retire to, and colonel Hammond as a man of good intentions; the minutes of which discourse Mr. Ashburnham might keep by him: for the lord Langdale's discourse of such a paper, which he himself saw, and read, cannot be thought by me to be a mere fiction; to which, besides that he was a person of unblemished honour and veracity, he had not any temptation: yet Mr. Ashburnham did constantly deny that he ever saw any such paper, or had any thought of the Isle of Wight when the king left Hampton Court, and he never gave cause, in the subsequent actions of his life, to have his fidelity suspected. And it is probable, that Cromwell, who many years afterwards committed him to the Tower, and did hate him, and desired to have taken his life, would have been glad to have blasted his reputation, by declaring that he had carried his master to the Isle of Wight, without his privity, upon his own presumption; which, how well soever intended, must have been looked upon by all men as such a transcendent crime, as must have deprived him of all compassion for the worst that could befall him.

This sudden unexpected absence of the king made a great impression upon the minds of all men, every man fancying that his majesty would do that which he wished he would do. The presbyterians imagined that he lay concealed in the city, (which they unreasonably thought he might easily do,) and would expect a proper conjuncture, upon a new rupture between the parliament and the army, and the many factions in the army, which every day appeared, to discover himself. The cavaliers hoped that he would transport himself into the parts beyond the seas, and quietly attend there those alterations at home, which might probably in a short time invite his return. The army was not without this apprehension, as imagining it the worst that could fall out to their purposes.

The parliament, that is, that part of it that was devoted to the army, was most frightened with the imagination that the king was in the city, and would lurk there until some conspiracy should be ripe, and all his party should be present in London to second it; and therefore they no sooner heard that he was gone from Hampton Court, than they passed an ordinance of both houses, by which they declared, "that it should be confiscation of estate, "and loss of life, to any man who presumed to "harbour and conceal the king's person in his "house, without revealing, and making it known "to the parliament:" which, without doubt, would have terrified them all in such a manner, that if he had been in truth amongst them, he would quickly have been discovered, and given up. They caused some of the most notorious presbyterians' houses to be searched, as if they had been sure he had been there; and sent posts to all parts of the kingdom, "that they might be shut, and no person "be suffered to embark, lest the king, in disguise, "transport himself;" and a proclamation was issued out, "for the banishing all persons who "had ever borne arms for the king, out of London,

"or any place within twenty miles of it;" and all persons of that kind, who, upon strict search, were found, were apprehended, and put into several prisons with all the circumstances of severity and rigour. But all these doubts were quickly cleared, and within two days Cromwell informed the house of commons, "that he had received letters from colonel Hammond, of all the manner of the king's coming to the Isle of Wight, and the company that came with him; that he remained there in the castle of Carisbrook, till the plea-sure of the parliament should be known." He assured them, "that colonel Hammond was so honest a man, and so much devoted to their service, that they need have no jealousy that he might be corrupted by any body;" and all this relation he made with so unusual a gaiety, that all men concluded that the king was where he wished he should be. And from hence all those discourses, which are mentioned before to have fallen out after, took their original too probably.

And now the parliament maintained no farther contests with the army, but tamely submitted to whatsoever they proposed; the presbyterians in both houses, and in the city, being in a terrible agony, that some close correspondences they had held with the king during his abode at Hampton Court, would be discovered; and therefore would give no farther occasion of jealousy by any contradictions, leaving it to their clergy to keep the fire burning in the hearts of the people by their pulpit-inflammations; and they stoutly discharged their trust.

But Cromwell had more cause to fear a fire in his own quarters, and that he had raised a spirit in the army which would not easily be quieted again. The agitators, who were first formed by him to oppose the parliament, and to resist the destructive doom of their disbanding, and likewise to prevent any inconvenience, or mischief, that might result from the drowsy, dull presbyterian humour of Fairfax; who wished nothing that Cromwell did, and yet contributed to bring it all to pass: these agitators had hitherto transcribed faithfully all the copies he had given them, and offered such advices to the parliament, and insisted upon such expostulations and demands, as were necessary, whilst there was either any purpose to treat with the king, or any reason to flatter his party. But now the king was gone from the army, and in such a place as the army could have no recourse to him, and that the parliament was become of so soft a temper, that the party of the army that was in it could make all necessary impression upon them, he desired to restrain the agitators [from] that liberty which they had so long enjoyed, and to keep them within stricter rules of obedience to their superiors, and to hinder their future meetings, and consultations concerning the settling the government of the kingdom; which, he thought, ought now to be solely left to the parliament; whose authority, for the present, he thought best to uphold, and by it to establish all that was to be done. But the agitators would not be so dismissed from state affairs, of which they had so pleasant a relish; nor be at the mercy of the parliament, which they had so much provoked; and therefore, when they were admitted no more to consultations with their officers, they continued their meetings without them; and thought there was as great need to reform their officers, as any part of the church or state.

They entered into new associations, and made many propositions to their officers, and to the parliament, to introduce an equality into all conditions, and a parity among all men; from whence they had the appellation of *levellers*; which appeared a great party. They did not only meet against the express command of their officers, but drew very considerable parties of the army to rendezvous, without the order or privy of their superiors; and there persuaded them to enter into such engagements, as would in a short time have dissolved the government of the army, and absolved them from a dependence upon their general officers. The suppression of this license put Cromwell to the expense of all his cunning, dexterity, and courage; so that after he had cajoled the parliament, as if the preservation of their authority had been all he cared for and took to heart, and sent some false brothers to comply in the counsels of the conspirators, by that means having notice of their rendezvous, he was unexpectedly found with an ordinary guard at those meetings; and, with a marvellous vivacity, having asked some questions of those whom he observed most active, and receiving insolent answers, he knocked two or three of them in the head with his own hand, and then charged the rest with his troop; and took such a number of them as he thought fit; whereof he presently caused some to be hanged, and sent others to London for a more formal trial. By two or three such encounters, for the obstinacy continued long, he totally subdued that spirit in the army, though it continued and increased very much in the kingdom; and if it had not been encountered at that time with that rough and brisk temper of Cromwell, it would presently have produced all imaginable confusion in the parliament, army, and kingdom.

All opposition being thus suppressed, and quieted, and Cromwell needing no other assistance to the carrying on his designs, than the present temper and inclination of the parliament, they sent a message to the king, shortly proposing to him, "that he would forthwith grant his royal assent to four acts of parliament; which they then sent to him." By one of them, he was to confess the war to have been raised by him against the parliament; and that he was guilty of all the blood that had been spilt. By another, he was totally to dissolve the government of the church by bishops, and to grant all the lands belonging to the church to such uses as they proposed; leaving the settling a future government in the place thereof to farther time and counsels. By a third, he was to grant, and settle the militia in the manner and in the persons proposed, reserving not so much power in himself as any subject was capable of. In the last place, he was to sacrifice all those, who had served or adhered to him, to the mercy of the parliament.

And the persons, who were sent with these four bills, had liberty given to expect the king's answer only four days, and were then required to return to the parliament. With the commissioners of parliament there came likewise the commissioners of Scotland, who were present when the four bills and other propositions were delivered and read to the king, and they, the very next day, desired an audience; and, with much formality and confidence, delivered a declaration, and protestation on the behalf of the kingdom of Scotland against

those bills and propositions. They said, "they were so prejudicial to religion, the crown, and the union and interest of the kingdoms, and so far different from the former proceedings and engagements between the two kingdoms, that they could not concur therein; and therefore, in the name of the whole kingdom of Scotland, did declare their dissent." The king had received advertisement, that as soon as he should refuse to consent to the bills, he should presently be made a close prisoner, and all his servants should be removed from him; upon which, and because the commissioners had no power to treat with him, but were only to receive his positive answer, he resolved that his answer should not be known till it was delivered to the parliament; and that, in the mean time, he would endeavour to make his escape from thence, before new orders could be sent from Westminster: so when the commissioners came to receive his answer, he gave it to them sealed. The earl of Denbigh, who was the chief of the commissioners, and a person very ungrateful to the king, told him, "that though they had no authority to treat with him, or to do any thing but to receive his answer, yet they were not to be looked upon as common messengers, and to carry back an answer that they had not seen;" and, upon the matter, refused to receive it; and said, "they would return without any, except they might see what they carried."

His majesty conceived that their return without his answer would be attended with the worst consequences; and therefore he told them, "that he had some reason for having offered to deliver it to them in that manner; but if they would give him their words, that the communicating it to them should be attended with no prejudice to him, he would open it, and cause it to be read;" which they readily undertook, (as in truth they knew no reason to suspect it,) and thereupon he opened it, and gave it one to read. The answer was, "that his majesty had always thought it a matter of great difficulty to comply in such a manner with all engaged interests, that a firm and lasting peace might ensue; in which opinion he was now confirmed, since the commissioners for Scotland do solemnly protest against the several bills and propositions, which the two houses of parliament had presented to him for his assent; so that it was not possible for him to give such an answer as might be the foundation of a hopeful peace." He gave them many unanswerable reasons, "why he could not pass the four bills as they were offered to him; which did not only divest him of all sovereignty, and [leave him] without any possibility of recovering it to him or his successors, but opened a door for all intolerable oppressions upon his subjects, he granting such an arbitrary and illimited power to the two houses." He told them, "that neither the desire of being freed from that tedious and irksome condition of life, which he had so long suffered, nor the apprehension of any thing that might befall him, should ever prevail with him to consent to any one act, till the conditions of the whole peace should be concluded; and then that he would be ready to give all just and reasonable satisfaction, in all particulars; and for the adjusting of all this, he knew no way but a personal treaty, (and therefore very earnestly desired the two houses to consent to

it,) to be either at London, or any other place they would rather choose." As soon as this answer, or to the same effect, was read, he delivered it to the commissioners; who no sooner received it than they kissed his hand, and departed for Westminster.

The commissioners were no sooner gone than Hammond caused all the king's servants, who till then had all liberty to be with him, to be immediately put out of the castle; and forbade any of them to repair thither any more; and appointed a strong guard to restrain any body from going to the king, if they should endeavour it. This exceedingly troubled and surprised him, being an absolute disappointment of all the hope he had left. He told Hammond, "that it was not suitable to his engagement, and that it did not become a man of honour or honesty to treat him so, who had so freely put himself into his hands. He asked him, whether the commissioners were acquainted with his purpose to proceed in this manner?" To which he answered, "that they were not; but that he had an order from the parliament to do as he had done; and that he saw plainly by his answer to the propositions, that he acted by other counsels than stood with the good of the kingdom."

This insolent and imperious proceeding put the whole island (which was generally inhabited by a people always well affected to the crown) into a high mutiny. They said, "they would not endure to see their king so used, and made a prisoner." There was at that time there one captain Burly, who was of a good family in the island. He had been a captain of one of the king's ships, and was put out of his command when the fleet rebelled against the king; and then he put himself into the king's army, where he continued an officer of good account to the end of the war, and was in one of the king's armies general of the ordnance. When the war was at an end, he repaired into his own country, the Isle of Wight; where many of his family still lived in good reputation. This gentleman chanced to be at Newport, the chief town in the island, when the king was thus treated, and when the people seemed generally to resent it with so much indignation; and was so much transported with the same fury, being a man of more courage than of prudence and circumspection, that he caused a drum to be presently beaten, and put himself at the head of the people who flocked together, and cried, "For God, the king, and the people;" and said, "he would lead them to the castle, and rescue the king from his captivity." The attempt was presently discerned to be irrational and impossible; and by the great diligence and activity of the king's servants, who had been put out of the castle, the people were quieted, and all men resorted to their own houses; but the poor gentleman paid dear for his ill advised and precipitate loyalty. For Hammond caused him presently to be made prisoner; and the parliament, without delay, sent down a commission of Oyer and Terminer; in which an infamous judge, Wild, whom they had made chief baron of the exchequer for such services, presided; who caused poor Burly to be, with all formality, indicted of high treason for levying war against the king, and engaging the kingdom in a new war; of which the jury they had brought together, found him guilty; upon which their judge condemned him, and this honest

man was forthwith hanged, drawn, and quartered, with all the circumstances of barbarity and cruelty; which struck a wonderful terror into all men, this being the first precedent of their having brought any man to a formal legal trial by the law to deprive him of his life, and make him guilty of high treason for adhering to the king; and it made a deeper impression upon the hearts of all men, than all the cruelties they had yet exercised by their courts of war; which, though they took away the lives of many innocent men, left their estates to their wives and children: but when they saw now, that they might be condemned of high treason before a sworn judge of the law for serving the king, by which their estates would be likewise confiscated, they thought they should be justified if they kept their hearts entire, without being involved by their actions in a capital transgression.

Upon the receipt of the king's answer, there appeared a new spirit and temper in the house of commons; hitherto, no man had mentioned the king's person without duty and respect, and only lamented "that he was misled by evil and wicked counsellors; who being removed from him, he might by the advice of his parliament govern well enough." But now, upon the refusal to pass these bills, every man's mouth was opened against him with the utmost sauciness and license; each man striving to exceed the other in the impudence and bitterness of his invective. Cromwell declared, "that the king was a man of great parts, and great understanding," (faculties they had hitherto endeavoured to have him thought to be without,) "but that he was so great a dissembler, and so false a man, that he was not to be trusted." And thereupon repeated many particulars, whilst he was in the army, that his majesty wished that such and such things might be done, which being done to gratify him, he was displeased, and complained of it: "That whilst he professed with all solemnity that he referred himself wholly to the parliament, and depended only upon their wisdom and counsel for the settlement and composing the distractions of the kingdom, he had, at the same time, secret treaties with the Scottish commissioners, how he might embroil the nation in a new war, and destroy the parliament." He concluded, "that they might no farther trouble themselves with sending messages to him, or farther propositions, but that they might enter upon those counsels which were necessary towards the settlement of the kingdom, without having farther recourse to the king." Those of his party seconded this good advice with new reproaches upon the person of the king, charging him with such abominable actions, as had been never heard of, and could be only suggested from the malice of their own hearts; whilst men who had any modesty, and abhorred that way of proceeding, stood amazed and confounded at the manner and presumption of it, and without courage to give any notable opposition to their rage. So that, after several days spent in passionate debates to this purpose, they voted, "that they would make no more addresses to the king, but proceed towards settling the government, and providing for the peace of the kingdom, in such manner as they should judge best for the benefit and liberty of the subject:" and a committee was appointed

to prepare a declaration to inform and satisfy the people of this their resolution, and the grounds thereof, and to assure them, "that they had lawful authority to proceed in this manner." In the mean time, the king, who had, from the time of his coming to the Isle of Wight, enjoyed the liberty of taking the air, and refreshing himself throughout the island, and was attended by such servants as he had appointed, or sent for, to come thither to him, to the time that he had refused to pass those bills, from thenceforth was no more suffered to go out of the castle beyond a little ill garden that belonged to it. And now, after this vote of the house of commons, that there should be no more addresses made to him, all his servants were removed, and a few new men, utterly unknown to his majesty, were deputed to be about his person to perform all those offices which they believed might be requisite, and of whose fidelity to themselves they were as well assured, as that they were without any reverence or affection for the king.

It is very true, that within few days after the king's withdrawing from Hampton Court, and after it was known that he was in the Isle of Wight, there was a meeting of the general officers of the army at Windsor, where Cromwell and Ireton were present, to consult what should be now done with the king. For, though Cromwell was weary of the agitators, and resolved to break their meetings, and though the parliament concurred in all he desired, yet his entire confidence was in the officers of the army; who were they who swayed the parliament, and the army itself, to bring what he intended to pass. At this conference, the preliminaries whereof were always fastings and prayers, made at the very council by Cromwell or Ireton, or some other inspired person, as most of the officers were, it was resolved, "that the king should be prosecuted for his life as a criminal person;" of which his majesty was advertised speedily by Watson, quarter master general of the army; who was present; and had pretended, from the first coming of the king to the army, to have a desire to serve him, and desired to be now thought to retain it; but the resolution was a great secret, of which the parliament had not the least intimation or jealousy; but was, as it had been, to be cozened by degrees to do what they never intended. Nor was his majesty easily persuaded to give credit to the information; but though he expected, and thought it very probable, that they would murder him, he did not believe they would attempt it with that formality, or let the people know their intentions. The approach they made towards it, was, their declaration, "that they would make no more addresses to the king," that by an interregnum they might feel the pulse of the people, and discover how they would submit to another form of government; and yet all writs, and process of justice, and all commissions, still issued in the king's name without his consent or privy; and little other change or alteration, but that what was before done by the king himself, and by his immediate order, was now performed by the parliament; and, instead of acts of parliament, they made ordinances of the two houses to serve all their occasions; which found the same obedience from the people.

This declaration of no more addresses con-



tained a charge against the king of whatsoever had been done amiss from the beginning of his government, or before, not without a direct insinuation, as if "he had conspired with the duke of Buckingham against the life of his father; the prejudice he had brought upon the protestant religion in foreign parts, by lending his ships to the king of France, who employed them against Rochelle;" they renewed the remembrance and reproach of all those grievances which had been mentioned in their first remonstrance of the state of the kingdom, and repeated all the calumnies which had been contained in all their declarations before and after the war; which had been all so fully answered by his majesty, that the world was convinced of their rebellion and treason: they charged him with being "the cause of all the blood that had been spilt, by his having made a war upon his parliament, and rejecting all overtures of peace which had been made to him; and in all these regards, they resolved to make no more address to him, but, by their own authority, to provide for the peace and welfare of the kingdom."

This declaration found much opposition in the house of commons, in respect of the particular reproaches they had now cast upon the person of the king, which they had heretofore, in their own published declarations to the people, charged upon the evil counsellors, and persons about him; and some persons had been sentenced, and condemned, for those very crimes which they now accused his majesty of. But there was much more exception to their conclusion from those premises, that therefore they would address themselves no more to him; and John Maynard, a member of the house, and a lawyer of great eminence, who had too much complied and concurred with their irregular and unjust proceedings, after he had with great vehemence opposed and contradicted the most odious parts of their declaration, told them plainly, "that by this resolution of making no more addresses to the king, they did, as far as in them lay, dissolve the parliament; and that, from the time of that determination, he knew not with what security, in point of law, they could meet together, or any man join with them in their counsels: that it was of the essence of parliament, that they should upon all occasions repair to the king; and that his majesty's refusal at any time to receive their petitions, or to admit their addresses, had been always held the highest breach of their privilege, because it tended to their dissolution without dissolving them; and therefore if they should now, on their parts, determine that they would receive no more messages from him, (which was likewise a part of their declaration,) nor make any more address to him, they did, upon the matter, declare that they were no longer a parliament: and then, how could the people look upon them as such?" This argumentation being boldly pressed by a man of that learning and authority, who had very seldom not been believed, made a great impression upon all men who had not prostituted themselves to Cromwell and his party. But the other side meant not to maintain their resolution by discourses, well knowing where their strength lay; and so still called for the question; which was carried by a plurality of voices, as they foresaw it would; very many per-

sons who abhorred the determination, not having courage enough to provoke the powerful men by owning their dissent; others satisfying themselves with the resolution to withdraw themselves, and to bear no farther part in the counsels; which Maynard himself did, and came no more to the house in very many months, nor till there seemed to be such an alteration in the minds of men, that there would be a reversal of that monstrous determination; and many others did the same.

When this declaration was thus passed the commons, and by them sent to the house of peers for their concurrence, the manner or the matter was not thought of that importance as to need much debate; but, with as little formality as was possible, it had the concurrence of that house, and was immediately printed and published, and new orders sent to the Isle of Wight, for the more strict looking to and guarding the king, that he might not escape.

The publishing this declaration wrought very different effects in the minds of the people, from what they expected it would produce; and it appeared to be so publicly detested, that many who had served the parliament in several unwarrantable employments and commissions, from the beginning of the war, in the city and in the country, withdrew themselves from the service of the parliament; and much inveighed against it, for declining all the principles upon which they had engaged them. Many private persons took upon them to publish answers to that odious declaration, that, the king himself being under so strict a restraint that he could make no answer, the people might not be poisoned with the belief of it. And the several answers of this kind wrought very much upon the people, who opened their mouths very loud against the parliament and the army; and the clamour was increased by the increase of taxes and impositions, which were raised by new ordinances of parliament upon the kingdom; and though they were so entirely possessed of the whole kingdom, and the forces and garrisons thereof, that they had no enemy to fear or apprehend, yet they disbanded no part of their army; and notwithstanding they raised incredible sums of money, upon the sale of the church and the crown lands; for which they found purchasers enough amongst their own party in the city, army, and country, and upon composition with delinquents, and the sale of their lands who refused, or could not be admitted, to compound, (which few refused to do who could be admitted, in regard that their estates were all under sequestration; and the rents thereof paid to the parliament, so that till they compounded they had nothing to support themselves, whereby they were driven into extreme wants and necessities, and were compelled to make their compositions, at how unreasonable rates soever, that they might thereby be enabled to sell some part, that they might preserve the rest, and their houses from being pulled down, and their woods from being wasted or spoiled;) notwithstanding all these vast receipts, which they ever pretended should ease the people of their burden, and should suffice to pay the army their expenses at sea and land, their debts were so great, that they raised the public taxes; and, besides all customs and excise, they levied a monthly contribution of a hundred and fifty thousand pounds by a land tax throughout the kingdom; which was



more than had been ever done before, and it being at a time when they had no enemy who contended with them, was an evidence that it would have no end, and that the army was still to be kept up, to make good the resolution they had taken, to have no more to do with the king; and that made the resolution generally the more odious. All this grew the more insupportable, by reason that, upon the publishing this last monstrous declaration, most of those persons of condition, who, as hath been said before, had been seduced to do them service throughout the kingdom, declined to appear longer in so detestable an employment; and now a more inferior sort of the common people succeeded in those employments, who thereby exercised so great insolence over those who were in quality above them, and who always had a power over them, that it was very grievous; and for this, let the circumstances be what they would, no redress could be ever obtained, all distinction of quality being renounced. They who were not above the condition of ordinary inferior constables, six or seven years before, were now the justices of peace, and sequestrators, and commissioners; who executed the commands of the parliament, in all the counties of the kingdom, with such rigour and tyranny, as was natural for such persons to use over and towards those upon whom they had formerly looked at such a distance. But let their sufferings be never so great, and the murmur and discontent never so general, there was no shadow of hope by which they might discern any possible relief: so that they who had struggled as long as they were able, submitted patiently to the yoke, with the more satisfaction, in that they saw many of those who had been the principal contrivers of all the mischiefs to satisfy their own ambition, and that they might govern others, reduced to almost as ill a condition as themselves, at least to as little power, and authority, and security; whilst the whole government of the nation remained, upon the matter, wholly in their hands who in the beginning of the parliament were scarce ever heard of, or their names known but in the places where they inhabited.

The king being in this melancholic neglected condition, and the kingdom possessed by the new rulers, without control, in the new method of government, where every thing was done, and submitted to, which they propounded, they yet found that there was no foundation laid for their peace, and future security; that besides the general discontent of the nation, which for the present they did not fear, they were to expect new troubles from Ireland, and from Scotland; which would, in the progress, have an influence upon England.

In Ireland, (which they had totally neglected from the time of the differences and contests between the parliament and the army, and from the king's being in the army,) though they were possessed of Dublin, and, upon the matter, of the whole province of Munster, by the activity of the lord Inchiquin, and the lord Broghill; yet the Irish rebels had very great forces, which covered all the other parts of the kingdom. But they had no kind of fears of the Irish, whom they vanquished as often as they saw, and never declined fighting upon any inequality of numbers: they had an apprehension of another enemy. The

marquis of Ormond had often attended the king at Hampton Court, and had great resort to him, whilst he stayed in London, by all those who had served the king, and not less by those who were known to be unsatisfied with the proceedings both of the parliament and the army; and by the Scottish commissioners, who had frequently private meetings with him; inasmuch as the officers of the army, who gave the first motion to all extravagant acts of power, had resolved to have apprehended and imprisoned him, as a man worthy of their fear, though they had nothing to charge him with; and by his articles, he had liberty to stay six months where he would in England, (which time was little more than half expired,) and then he might transport himself into what part he desired beyond the seas. The marquis had notice of this their purpose; and having conferred with his majesty as much as was necessary, upon a reasonable foresight of what was like to fall out, shortly after, or about the time that the king left Hampton Court, he in disguise, and without being attended by more than one servant, rid into Sussex; and, in an obscure and unguarded port or harbour, put himself on board a shallop, which safely transported him into Normandy; from whence he waited upon the queen, and the prince of Wales, at Paris; to whom he could not but be very welcome.

At the same time, there were commissioners arrived from Ireland from the confederate catholics; who, after they had driven the king's authority from them, quickly found they needed it for their own preservation. The factions grew so great amongst the Irish themselves, and the pope's nuncio exercised his authority with so great tyranny and insolence, that all were weary of him; and found that the parliament, as soon as they should send more forces over, would easily, by reason of their divisions, reduce them into great straits and necessities. They therefore sent commissioners to the queen and prince to desire, "that, by their favour, they might have 'the king's authority again among them;'" to which they promised, for the future, a ready obedience, with many acknowledgments of their former miscarriage and behaviour. It is very true that the marquis of Antrim, who was one of the commissioners, and was always inseparable from the highest ambition, (though without any qualifications for any great trust,) had entertained the hope, that by the queen's favour, who had too good an opinion of him, the government of Ireland should be committed to him, and his conduct; which none of the other commissioners thought of, nor had their eyes fixed on any man but the marquis of Ormond, in whom the king's authority was vested; for he remained still lieutenant of Ireland by the king's commission; and they had reason to believe that all the English protestants, who had formerly lived under his government, (without a conjunction with whom, they well foresaw the Irish would not be able to defend or preserve themselves,) would return to the same obedience, as soon as he should return to receive it. The queen and the prince thought not of trusting any other in that most hazardous and difficult employment, and so referred the commissioners to make all their overtures and propositions to him; who knew well enough, what they would not do if they could, and what

they could not do if they had a mind to it; and how devoted soever he was to the king's service, nothing proposed or undertaken by them, could have been the least inducement to him to engage himself, and to depend upon their fidelity. But there were three things, which with the great and entire zeal for the king's service, to which he had dedicated himself, made him believe that he might with some success appear again in that kingdom, in this conjuncture; and that his so doing might have a good effect upon the temper of England, and towards the mending his majesty's condition there.

First, the cardinal Mazarine (who then absolutely governed France) seemed very earnestly to advise it, and promised to supply him with a good sum of money, and store of arms and ammunition to carry with him; which he knew very well how to dispose of there. Secondly, he was privy to the Scottish engagement, and to a resolution of many persons of great honour in England, to appear in arms at the same time; which was designed for the summer following; whereby the parliament, and army, which were like to have new divisions amongst themselves, would not be able to send any considerable supplies into Ireland; without which, their power there was not like to be formidable. Thirdly, which was a greater encouragement than the other two, he had, during his abode in England, held a close correspondence with the lord Inchiquin, president of the province of Munster in Ireland, who had the full power and command of all the English army there; which was a better body of men than the parliament had in any other part of that kingdom. That lord was weary of his masters, and did not think the service he had done the parliament (which indeed had been very great, and without which it is very probable that whole kingdom had been united to his majesty's service) well requited; and did really and heartily abhor the proceedings of the parliament, and army, towards the king; and did therefore resolve to redeem what he had formerly done amiss, with exposing all he had for his majesty's restoration; and had frankly promised the marquis to receive him into Munster, as the king's lieutenant of that kingdom; and that that whole province, and army, should pay him all obedience; and that against the time he should be sure of his presence, he would make a cessation with the Irish in order to a firm conjunction of that whole kingdom for the king. And after the marquis came into France, he received still letters from that lord to hasten his journey thither.

These were the motives which disposed the marquis to comply with the queen's and the prince's command to prepare himself for that expedition; and so he concerted all things with the Irish commissioners; who returned into their country, with promises to dispose their general assembly to consent to those conditions as might not bring a greater prejudice to the king, than any conjunction with them could be of advantage.

The parliament had too many spies and agents at Paris, not to be informed of whatsoever was whispered there; but whether they undervalued any conjunction with the Irish, (for of the lord Inchiquin they had no suspicion,) or whether they were confident of the cardinal's kindness, that he would not advance any design against them, they were not so apprehensive of trouble from Ireland as they were of their brethren from Scotland;

where they heard of great preparations, and of a purpose to call a parliament, and to raise an army; which, they believed, would find too many friends in England, the presbyterian party holding up their heads again, both in the parliament and the city. Besides, they knew that some persons of quality and interest, who had served the king in good command in the late war, were gone into Scotland, and well received there; which, they thought, would draw the king's party together upon the first appearance.

After the king had been so infamously delivered up to the parliament by the Scots at Newcastle, and as soon as the army had possessed themselves of him, that nation was in terrible apprehension that the officers of the army would have made their peace, and established their own greatness by restoring the king to his just rights, of which they had so foully deprived him; and then the conscience of their guilt made them presume, what their lot must be; and therefore, the same commissioners who had been joined with the committee of parliament in all the transactions, made haste to Westminster again to their old seats, to keep their interest; which was great in all the presbyterian party, both of parliament and city; for there remained still the same profession of maintaining the strict union between the two kingdoms, and that all transactions should be by joint counsels. And as soon as the king appeared with some show of liberty, and his own servants had leave to attend him, no men appeared with more confidence than the Scottish commissioners; the earl of Lowden, the earl of Lautherdale, and the rest; as if they had been the men who had contrived his restoration: no men in so frequent whispers with the king; and they found some way to get themselves so much believed by the queen, with whom they held a diligent correspondence, that her majesty very earnestly persuaded the king "to trust them, "as the only persons who had power and credit "to do him service, and to redeem him from the "captivity he was in." Duke Hamilton, who had been sent prisoner by the king to the castle of Pendennis, and had been delivered from thence by the army, when that place was taken in the end of the war, had enjoyed his liberty and his pleasure at London, and in his own house at Chelsea, as long as he thought fit, that is, as long as the king was with the Scottish army and at Newcastle; and when he was delivered up to the parliament commissioners, he went into Scotland, [without seeing the king,] to his own house at Hamilton; looked upon by that nation as one who had unjustly suffered under the king's jealousy and displeasure, and who remained still very faithful to him; and during the time that he remained in and about London, he found means to converse with many of the king's party, and made great professions that he would do the king a very signal service, which he desired them to assure his majesty of; and seemed exceedingly troubled and ashamed at his countrymen's giving up the king. And his having no share in that infamy made him the more trusted in England, and to be received with the more respect in Scotland by all those who abhorred that transaction.

The commissioners who attended his majesty made great apologies for what had been done, imputing it wholly to the "malice and power of "the marquis of Argyle, and to his credit and

"authority in the council and in the army; so that nothing could be done which was desired by honest men; but that now duke Hamilton was amongst them, who they knew was most devoted to his majesty, they should be able to overpower Argyle; and the proceedings of the army and the parliament were so foul, and so contrary to their public faith, that they were confident that all Scotland would rise as one man for his majesty's defence and vindication; and they were well assured, there would such a party in England of those who were faithful to his majesty appear at the same time, that there would be little question of being able, between them, to be hard enough for that part of the army that would oppose them;" which his majesty knew well was resolved by many persons of honour, who afterwards performed what they had promised.

When the commissioners had, by these insinuations, gained new credit with the king, and had undertaken, that their invading England with an army equal to the undertaking, should be the foundation upon which all other hopes were to depend, (for no attempt in England could be reasonable before such an invasion, which was likewise to be hastened, that it might be at the same time when the marquis of Ormond should appear in Ireland,) they begun to propose to him many conditions, which would be necessary for his majesty to engage himself to perform towards that nation; without which it would not be easy to engage it in so unanimous a consent and engagement, as was necessary for such an enterprise. They required, as a thing without which nothing was to be undertaken, "that the prince of Wales should be present with them, and march in the head of their army; and desired that advertisement, and order, might be sent to that purpose to the queen and the prince at Paris; that so his highness might be ready for the voyage, as soon as they should be prepared to receive him." The king would by no means consent that the prince should go into Scotland, being too well acquainted with the manners and fidelity of that people; but he was contented, that when they should have entered England with their army, then the prince of Wales should put himself in the head of them. They demanded, "that such a number of Scotchmen should be always in the court, of the bedchamber, and all other places about the persons of the king, and prince, and duke of York: that Berwick and Carlisle should be put into the hands of the Scots;" and some other concessions with reference to the northern counties; which trenching so far upon the honour and interest of the English, that his majesty utterly refused to consent to it; and so the agreement was not concluded when the king left Hampton Court. But, as soon as he was at the Isle of Wight, the Scottish commissioners repaired to him, at the same time with those who were sent to him from the parliament for his royal assent to those four bills spoken of before; then, in that season of despair, they prevailed with him to sign the propositions he had formerly refused; and, having great apprehension, from the jealousies they knew the army had of them, that they should be seized upon, and searched in their return to London, they made up their precious contract in lead; and buried it in a garden in the Isle of

Wight; from whence they easily found means afterwards to receive it. So constant was this people to their principles, and so wary to be sure to be no losers by returning to their allegiance; to which neither conscience nor honour did invite or dispose them. So after a stay of some months at London to adjust all accounts, and receive the remainder of those monies they had so dearly earned, or so much of it as they had hope would be paid, they returned to Scotland, with the hatred and contempt of the army, and the parliament, that was then governed by it; but with the veneration of the presbyterian party, which still had faith in them, and exceedingly depended upon their future negotiation; which was now incumbent upon them: and, in order thereunto, a fast intercourse and correspondence was settled, as well by constant letters, as by frequent emissaries of their clergy, or other persons, whose devotion to their combination was unquestionable.

It can never be enough wondered at that the Scottish presbyterians, being a watchful and crafty people, the principal of whom were as unrestrained by conscience as any of the officers of the army were, and only intended their particular advantage and ambition, should yet hope to carry on their interest by such conditions and limitations, as all wise men saw must absolutely ruin and destroy it. They knew well enough the spirit of their own people, and that though it would be no hard matter to draw a numerous army enough together, yet that being together it would be able to do very little towards any vigorous attempt; and therefore their whole dependence was upon the assistance they should find ready to join with them in England. It is true, they did believe the body of the presbyterians in England to be much more considerable than in truth it was; yet they did, or might have known, that the most considerable persons who in the contest with the other faction were content to be thought presbyterians, were so only as they thought it might restore the king; which they more impatiently desired, than any alteration in the government of the church; and that they did heartily intend a conjunction with all the royal party, upon whose interest, conduct, and courage, they did more rely than upon the power of the Scots; who did publicly profess that all the king's friends should be most welcome, and received by them: nor did they trust any one presbyterian in England with the knowledge of the particulars contained in the agreement with the king; but concealed it between the three persons who transacted it; and if it had been known, Cromwell might as easily have overrun their country before their army invaded England, as he did afterwards; nor would one Englishman have joined with them. Besides the infamous circumstances by which they extorted concessions from the king, which would have rendered any contract odious, (it being made in those four days, which were all that were assigned both to the English and Scottish commissioners, so that his majesty had not only no time to advise with others, but could not advise with himself upon so many monstrous particulars as were demanded of him by both kingdoms; which if he could have done, he would no more then have submitted to them, than he did afterwards upon longer deliberation, and when his life appeared to be in more manifest danger by his refusal,) the particulars

themselves were the most scandalous, and derogatory to the honour and interest of the English nation; and would have been abominated, if known and understood, by all men, with all possible indignation.

After they had made his majesty give a good testimony of their league and covenant, in the preface of their agreement, and "that the intentions of those who had entered into it were real for the preservation of his majesty's person and authority, according to their allegiance, and no ways to diminish his just power and greatness," they obliged him "as soon as he could, with freedom, honour, and safety, be present in a free parliament, to confirm the said league and covenant by act of parliament in both kingdoms, for the security of all who had taken, or should take it." It is true, they admitted a proviso, "that none who was unwilling, should be constrained to take it." They likewise obliged his majesty to confirm by act of parliament in England, presbyterian government; the Directory for worship; and the assembly of divines at Westminster, for three years; so that his majesty, and his household, should not be hindered from using that form of divine service he had formerly practised; and that during those three years there should be a consultation with the assembly of divines, to which twenty of the king's nomination should be added, and some from the church of Scotland; and thereupon it should be determined by his majesty, and the two houses of parliament, what form of government should be established after the expiration of those years, as should be most agreeable to the word of God: that an effectual course should be taken by act of parliament, and all other ways needful or expedient, for the suppressing the opinions and practices of Anti-Trinitarians, Arians, Socinians, Anti-Scripturists, Anabaptists, Antinomians, Arminians, Familists, Brownists, Separatists, Independents, Libertines, and Seekers, and, generally, for the suppressing all blasphemy, heresy, schism, and all such scandalous doctrines and practices as are contrary to the light of nature, and to the known principles of Christianity, whether concerning faith, worship, or conversation, or the power of godliness, or which may be destructive to order and government, or to the peace of the church or kingdom." The king promised, "that in the next session of parliament, after the kingdom of Scotland should declare for his majesty, in pursuance of this agreement, he should in person, or by commission, confirm the league and covenant in that kingdom; and concerning all the acts passed in the last parliament of that kingdom," his majesty declared, "that he should then likewise be content to give assurance by act of parliament, that neither he, nor his successors, should quarrel, call in question, or command the contrary of any of them, nor question any for giving obedience to the same." Then they made a long recital of "the agreement the parliament of England had made, when the Scots army returned to Scotland, that the army under Fairfax should be disbanded; and of that army's not submitting thereunto; of their taking the king from Holmby, and keeping him prisoner till he fled from them to the Isle of Wight; and since that time both his majesty,

"and the commissioners for the kingdom of Scotland, had very earnestly desired that the king might come to London, in safety, honour, and freedom, for a personal treaty with the two houses and the commissioners of the parliament of Scotland; which, they said, had been granted, but that the army had, in violent manner, forced away divers members of the parliament from the discharge of their trust, and possessed themselves of the city of London, and all the strengths and garrisons of the kingdoms: and that by the strength and influence of that army, and their adherents, propositions and bills had been sent to the king without the advice and consent of the kingdom of Scotland, contrary to the treaties which are between the two kingdoms, and destructive to religion, his majesty's just rights, the privileges of parliament, and liberty of the subject; from which propositions and bills the Scottish commissioners had dissented, and protested against, in the name of the kingdom of Scotland."

After this preamble and recital, they said, "that forasmuch as his majesty is willing to give satisfaction concerning the settling religion, and other matters in difference, as is expressed in this agreement, the kingdom of Scotland doth oblige and engage itself, first, in a peaceable way and manner to endeavour that the king may come to London in safety, honour, and freedom, for a personal treaty with the houses of parliament and the commissioners of Scotland, upon such propositions as should be mutually agreed on between the kingdoms, and such propositions as his majesty should think fit to make; and for this end all armies should be disbanded: and in case that this should not be granted, that declarations should be emitted by the kingdom of Scotland in pursuance of this agreement, against the unjust proceedings of the two houses of parliament towards his majesty and the kingdom of Scotland; in which they would assert the right that belonged to the crown, in the power of the militia, the great seal, bestowing of honours and offices of trust, choice of the privy counselors, and the right of the king's negative voice in parliament: and that the queen's majesty, the prince, and the rest of the royal issue, ought to remain where his majesty shall think fit in either of his kingdoms, with safety, honour, and freedom: that, upon the issuing out this declaration, an army should be sent out of Scotland into England, for the preservation and establishment of religion; for defence of his majesty's person and authority, and restoring him to his government, to the just rights of the crown, and his full revenues; for defence of the privileges of parliament, and liberties of the subject; for making a firm union between the kingdoms under his majesty, and his posterity, and settling a lasting peace." In pursuance whereof, the kingdom of Scotland was to endeavour "that there might be a free and full parliament in England, and that his majesty may be with them in honour, safety, and freedom; and that a speedy period be set to the present parliament. And they undertook, that the army which they would raise should be upon its march, before the message and declaration should be delivered to the houses." It was farther agreed, "that all such in the kingdoms of England and Ireland, as

"would join with the kingdom of Scotland in pursuance of this agreement, should be protected by his majesty in their persons and estates; and that all his majesty's subjects in England or Ireland who would join with him, in pursuance of this agreement, might come to the Scottish army, and join with them, or else put themselves into other bodies in England or Wales, for prosecution of the same ends, as the king's majesty should judge most convenient, and under such commanders, or generals of the English nation, as his majesty should think fit: and that all such should be protected by the kingdom of Scotland and their army, in their persons and estates; and where any injury or wrong is done unto them, they would be careful to see them fully repaired, as far as it should be in their power to do; and likewise when any injury or wrong is done to those who join with the kingdom of Scotland, his majesty shall be careful of their full reparation."

They obliged his majesty to promise "that neither himself, nor any by his authority or knowledge, should make or admit of any cessation, pacification, or agreement whatsoever for peace, nor of any treaty, propositions, bills, or any other ways for that end, with the houses of parliament, or any army or party in England, or Ireland, without the advice and consent of the kingdom of Scotland; and, reciprocally, that neither the kingdom of Scotland, nor any having their authority, should make or admit of any of these any manner of way, with any whatsoever, without his majesty's advice or consent: and that, upon the settlement of a peace, there should be an act of oblivion to be agreed on by his majesty, and both his parliaments of both kingdoms; that his majesty, the prince, or both, should come into Scotland upon the invitation of that kingdom, and their declaration, that they should be in honour, freedom, and safety, when possibly they could come with safety and convenience; and that the king should contribute his utmost endeavour, both at home and abroad, for assisting the kingdom of Scotland for carrying on this war by sea and land, and for their supplies by monies, arms, ammunition, and all other things requisite, as also for guarding the coasts of Scotland with ships, and protecting all their merchants in the free exercise of their trade and commerce with other nations; and likewise that his majesty was willing, and did authorize the Scottish army to possess themselves of Berwick, Carlisle, Newcastle upon Tyne, with the castle of Tinnmouth, and the town of Hartlepool: those places to be for retreat, and magazines; and that, when the peace of the kingdom should be settled, the kingdom of Scotland should remove their forces, and deliver back again those towns and castles."

And as if all this had not been recompense enough for the wonderful service they were like to perform, they obliged the king to promise, and undertake to pay, the remainder of that brotherly assistance which was yet unpaid upon the large treaty after their first invasion of England, and likewise two hundred thousand pounds, which remained still due upon the last treaty made with the houses of parliament for return of the Scottish army, when they had delivered up the king; and also, "that payment should be made to the king-

dom of Scotland, for the charge and expense of their army in this future war, with due recompense for the losses which they should sustain therein; and that due satisfaction, according to the treaty on that behalf betwixt the two kingdoms, should be made to the Scottish army in Ireland, out of the lands of the kingdom, or otherwise: and that the king, according to the intention of his father, should endeavour a complete union of the two kingdoms, so as they may be one under his majesty, and his posterity; or if that cannot speedily be effected, that all liberties and privileges, concerning commerce, traffic, manufactures, peculiar to the subjects of either nation, shall be common to the subjects of both kingdoms without distinction; and that there be a communication, and mutual capacity, of all other privileges of the subjects in the two kingdoms: that a competent number of ships should be yearly assigned, and appointed out of his majesty's navy, which should attend the coasts of Scotland, for a guard, and freedom of trade of that nation; and that his majesty should declare that his successors, as well as himself, are obliged to the performance of the articles and conditions of this agreement; but that his majesty shall not be obliged to the performance of the aforesaid articles, until the kingdom of Scotland shall declare for him in pursuance of this agreement; and that the whole articles and conditions aforesaid shall be finished, perfected, and performed, before the return of the Scottish army; and that when they return into Scotland, at the same time, *simul et semel*, all armies should be disbanded in England." And for a compliment, and to give a relish to all the rest, the king engaged himself "to employ those of the Scottish nation equally with the English in all foreign employments, and negotiations; and that a third part of all the offices and places about the king, queen, and prince, should be conferred upon some persons of that nation; and that the king and prince, or one of them, will frequently reside in Scotland, that the subjects of that kingdom may be known to them." This treaty and agreement being thus presented to the king by the Scottish commissioners in the castle of Carisbrook, his majesty was prevailed with to sign the same the 26th day of December, 1647; and to oblige himself, "in the word of a king, to perform his part of the said articles;" and the earl of Lowden, chancellor of Scotland, and the earl of Lautherdale, and the earl of Lanrick, being intrusted as commissioners from that kingdom, signed it likewise at the same time; and engaged themselves "upon their honour, faith, and conscience, and all that is dear to honest men, to endeavour to the utmost of their power, that the kingdom of Scotland should engage to perform what was on its part to be performed; which they were confident the kingdom of Scotland would do, and they themselves would hazard their lives and fortunes in pursuance thereof."

No man who reads this treaty (which very few men have ever done) can wonder that such an engagement met with the fate that attended it; which contained so many monstrous concessions, that, except the whole kingdom of England had been likewise imprisoned in Carisbrook castle with the king, it could not be imagined that it was pos-

sible to be performed; and the three persons who were parties to it were too wise to believe that it could be punctually observed; which they used as the best argument, and which only prevailed with the king, "that the treaty was only made to enable them to engage the kingdom of Scotland to raise an army, and to unite it in his majesty's service; which less than those concessions would never induce them to do; but when that army should be entered into England, and so many other armies should be on foot of his English subjects for the vindication of his interest, there would be nobody to exact all those particulars; but every body would submit to what his majesty should think fit to be done;" which, though it had been urged more than once before to induce the king to consent to other inconveniences, which they would never after release to him, did prevail with him at this time. And, to confirm him in the belief of it; they were contented that it should be inserted under the same treaty, as it was, "that his majesty did declare, that by the clause of confirming presbyterian government by act of parliament, he is neither obliged to desire the settling presbyterian government, nor to present any bills to that effect; and that he likewise understands that no person whatsoever shall suffer in his estate, nor undergo any corporal punishment, for not submitting to presbyterian government; his majesty understanding that this [indemnity] should not extend to those who are mentioned [in the article] against toleration:" and to this the three earls likewise subscribed their hands, "as witnesses only, as they said, that his majesty had made that declaration in their presence, not as assenters;" so wary they were of administering jealousy to their masters, or of being thought to be less rigid in so fundamental a point, as they knew that would be thought to be.

It was a wonderful difference, throughout their whole proceedings, between the heads of those who were thought to sway the presbyterian counsels, and those who governed the independents, though they were equally masters of dissimulation, and had equally malice and wickedness in their intentions, though not of the same kind, and were equally unrestrained by any scruples or motions of conscience, the independents always doing that, which, how ill and unjustifiable soever, contributed still to the end they aimed at, and to the conclusion they meant to bring to pass; whereas the presbyterians, for the most part, did always somewhat that reasonably must destroy their own end, and cross that which they first and principally designed; and there were two reasons that might naturally produce this ill success to the latter, at least hindered the even progress and current which favoured the other. First, their councils were most distracted and divided, being made up of many men, whose humours and natures must be observed, and complied with, and whose concurrence was necessary to the carrying on the same designs, though their inclinations did not concur in them; whereas the other party was entirely led and governed by two or three, to whom they resigned, implicitly, the conduct of their interest; who advanced, when they saw it seasonable, and stood still, or retired, or even declined the way they best liked, when they saw any inconvenient jealousy awakened by the progress they had made.

In the second place, the presbyterians, by whom

I mean the Scots, formed all their counsels by the inclinations and affections of the people; and first considered how they might corrupt and seduce, and dispose them to second their purposes; and how far they might depend upon their concurrence and assistance, before they resolved to make any attempt; and this made them in such a degree submit to their senseless and wretched clergy; whose infectious breath corrupted and governed the people, and whose authority was prevalent upon their own wives, and in their domestic affairs; and yet they never communicated to them more than the outside of their designs: whereas, on the other side, Cromwell, and the few others with whom he consulted, first considered what was absolutely necessary to their main and determined end; and then, whether it were right or wrong, to make all other means subservient to it; to cozen and deceive men, as long as they could induce them to contribute to what they desired, upon motives how foreign soever; and when they would keep company with them no longer, or farther serve their purposes, to compel them by force to submit to what they should not be able to oppose; and so the one resolved, only to do what they believed the people would like and approve; and the other, that the people should like and approve what they had resolved. And this difference in the measures they took, was the true cause of so different success in all they undertook. Machiavel, in this, was in the right, though he got an ill name by it with those who take what he says from the report of other men, or do not enough consider themselves what he says, and his method in speaking: (he was as great an enemy to tyranny and injustice in any government, as any man then was, or now is; and says,) "that a man were better be a dog than be subject to those passions and appetites, which possess all unjust, and ambitious, and tyrannical persons;" but he confesses, "that they who are so transported, and have entertained such wicked designs as are void of all conscience, must not think to prosecute them by the rules of conscience, which was laid aside, or subdued, before they entered upon them; they must make no scruple of doing all those impious things which are necessary to compass and support the impiety to which they have devoted themselves;" and therefore he commends Caesar Borgia for "not being startled with breach of faith, perjuries, and murders, for the removal of those men who he was sure would cross and enervate the whole enterprise he had resolved, and addicted himself to; and blames those usurpers, who had made themselves tyrants, for hoping to support a government by justice, which they had assumed unjustly, and which having wickedly attempted, they manifestly lost by not being wicked enough." The common old adage, "that he who hath drawn his sword against his prince, ought to throw away the scabbard, never to think of sheathing it again," hath never been received in a neighbour climate; but hath been looked upon in the frolic humour of that nation, as a gaiety that manifests a noble spirit, and may conduce to many advantages, and hath been controlled by some wonderful successes in this age, in those parts, which used not to be so favourable to such attempts: yet without doubt the rule will still hold good; and they who enter upon unwarrantable enterprises,

must pursue many unwarrantable ways to preserve themselves from the penalty of the first guilt.

Cromwell, though the greatest dissembler living, always made his hypocrisy of singular use and benefit to him; and never did any thing, how ungracious or imprudent soever it seemed to be, but what was necessary to the design; even his roughness and unpolishedness, which, in the beginning of the parliament, he affected contrary to the smoothness and complacency, which his cousin, and bosom friend, Mr. Hambden, practised towards all men, was necessary; and his first public declaration, in the beginning of the war, to his troop when it was first mustered, "that he would not deceive or cozen them by the perplexed and involved expressions in his commission, to fight for king and parliament;" and therefore told them, "that if the king chanced to be in the body of the enemy that he was to charge, he would as soon discharge his pistol upon him, as any other private person; and if their conscience would not permit them to do the like, he advised them not to list themselves in his troop, or under his command;" which was generally looked upon as imprudent and malicious, and might, by the professions the parliament then made, have proved dangerous to him; yet served his turn, and severed from others, and united among themselves, all the furious and incensed men against the government, whether ecclesiastical or civil, to look upon him as a man for their turn, upon whom they might depend, as one who would go through his work that he undertook. And his strict and unsociable humour in not keeping company with the other officers of the army in their jollities and excesses, to which most of the superior officers under the earl of Essex were inclined, and by which he often made himself ridiculous or contemptible, drew all those of the like sour or reserved natures to his society and conversation, and gave him opportunity to form their understandings, inclinations, and resolutions, to his own model. By this he grew to have a wonderful interest in the common soldiers, out of which, as his authority increased, he made all his officers, well instructed how to live in the same manner with their soldiers, that they might be able to apply them to their own purposes: whilst he looked upon the presbyterian humour as the best incentive to rebellion, no man more a presbyterian; he sung all psalms with them to their tunes, and loved the longest sermons as much as they; but when he discovered that they would prescribe some limits and bounds to their rebellion, that it was not well breathed, and would expire as soon as some few particulars were granted to them in religion, which he cared not for; and then that the government must run still in the same channel; it concerned him to make it believed "that the state had been more delinquent than the church, and that the people suffered more by the civil than by the ecclesiastical power; and therefore that the change of one would give them little ease, if there were not as great an alteration in the other, and if the whole government in both were not reformed and altered;" which though it made him generally odious [at first], and irreconciled many of his old friends to him; yet it made those who remained more cordial and firm: he could better compute his own strength, and upon whom he might depend. This

discovery made him contrive the [new] model of the army; which was the most unpopular act, and disoblged all those who first contrived the rebellion, and who were the very soul of it; and yet, if he had not brought that to pass, and changed a general, who, though not very sharp-sighted, would never be governed, nor applied to any thing he did not like, for another who had no eyes, and so would be willing to be led, all his designs must have come to nothing, and he remained a private colonel of horse, not considerable enough to be in any figure upon an advantageous composition.

After all the successes of his new model, he saw his army was balanced by that of the Scots, who took themselves to have equal merit with the other, and was thought to have contributed no less towards the suppression of the king, than that under Fairfax had done; and after all the victories, and reduction of the king to that lowness, desired still a composition, and to submit again to the subjection of the king: nor was it yet time for him to own or communicate his resolution to the contrary, lest even many of those who wished the extirpation of monarchy, might be startled at the difficulty of the enterprise, and with the power that was like to oppose them. He was therefore first to incense the people against the Scottish nation, "as being a mercenary aid, entertained at a vast charge to the kingdom, that was only to be paid their wages, and to be dismissed, without having the honour to judge with them upon what conditions the king should be received, and restored; the accomplishing whereof ought to be the peculiar glory of the parliament without a rival, and that the king might owe the benefit wholly to them." And this was as popular an argument as he could embark himself in, the whole kingdom in general having a great detestation of the Scots; and they who most desired the king's restoration wished that he might have as little obligation to them as was possible, and that they might have as little credit afterwards with him. With this universal applause, he compelled the Scottish army to depart the kingdom, with that circumstance as must ever after render them odious and infamous. There now seemed nothing more dangerous and destructive to the power and interest of the English army, in so general a discontent throughout the kingdom, than a division, and mutiny within itself; that the common soldiers should erect an authority distinct from their officers, by which they would choose to govern against their superior commanders, at least without them, and to fancy that they had an interest of their own severed from theirs, for the preservation whereof they were to trust none but themselves; which had never been heard of before in any army, and was looked upon as a prelude of the ruin of the whole, and of those who had adhered to them; and yet, if he had not raised this seditious spirit in the army, he could not have prevented the disbanding some part of it, and sending another part of it into Ireland, before the Scots left Newcastle; nor have been able to have taken the king from Holmby into the hands of the army, after the Scots were gone. And after all his hypocrisy towards the king and his party, by which he prevented many inconveniences which might have befallen him, he could never have been rid of him again so unrepurchably, as by his changing his own countenance, and giving



other cause to the king to suspect the safety of his person, and thereupon to make his escape from the army; by which his majesty quickly became a prisoner, and so was deprived of any resort, from whence many mischiefs might have proceeded to have disturbed his counsels. How constantly he pursued this method in his subsequent actions, will be observed in its place.

Contrary to this the presbyterian Scots proceeded, in all their actions after their first invasion in the year 1640, and always interwove some conditions in their counsels and transactions, which did not only prove, but, in the instant, might have been discerned to be, diametrically opposite to their public interest, and to their particular designs. It is very true, that their first invasion, saving their breach of allegiance, might have some excuse from their interest. They were a poor people, and though many particular men of that nation had received great bounties, and were exceedingly enriched in the court of England by king James and the present king, yet those particular men, who had been and then were in the court, were, for the most part, persons of no interest in Scotland; nor was that kingdom at all enriched by the conjunction with this; and they found themselves exposed to some late pressures, which were new to them, and which their preachers told them "were against conscience, and an invasion of their religion;" from which they had vindicated themselves so rudely and unwarrantably, that they might well expect to be called to an account hereafter, if those persons, whom they had most provoked, retained their interest still with the king, and in his councils; from whom they were promised to be secured, and to be well paid for their pains, if they would, by marching into England with an army, give their friends their countenance to own their own grievances, and so to procure relief and security for both kingdoms. In this enterprise, the success crowned their work; they were thought a wise and a resolute nation; and after an unbloody war of above a year, they returned into their country laden with spoils and great riches; and were liberally rewarded, as well for going out, as for coming into England. But from their return from this expedition, their whole true interest consisted in, and depended upon, an entire adhering to the king, and vindicating his honour and interest from all assaults; and their being suborned afterwards (when the king was in a hopeful way to have reduced his [English] rebels to their obedience, by the strength and power of his arms) to make a second invasion of the kingdom, was a weak and childish engagement, directly opposite to their interest, except they had at the same time a resolution to have changed their own government, and for ever to have renounced subjection to monarchy, (which was never in their purpose to do,) or to withdraw it from the present king. When his majesty had trusted them so far (which they had never reason to expect) as to put his royal person into their hands, and thereby given them an opportunity to redeem themselves in the eyes of the world, and to undo some part of the mischief they had done, it was their interest to have joined cordially with him, and firmly to have united themselves to his party in vindication of the law, and the government established; and if they had not had the courage at that time to have looked the English army in the face, as apparently they had not, it had been their interest to have retired

with the king in the head of their army into Scotland; and, leaving good garrisons in Newcastle, Berwick, and Carlisle, all which were in their possession, to have expected a revolution in England from the divisions amongst themselves, and from some conjunction with a strong body of the king's English party, which would quickly have found themselves together; and the delivery of the king up, besides the infamy of it, was, in view, destructive to all that could be thought their interest.

After all this, when they found themselves covenanted and deceived in all the measures they had taken, and laughed at and despised by those who had deceived them, to have a new opportunity to serve the king, and then to insist upon such conditions as must make it impossible for them to serve him effectually, was such a degree of sottishness, and a depraved understanding, that they can never be looked upon as men who knew what their interest was, or what was necessary to advance their own designs. And yet we shall be obliged to observe how incorrigibly they adhered to this obstinate and froward method, in all the transactions they afterwards had with the king; all which turned, as it could not but do, to their own ruin, and the destruction of that idol they adored, and paid their devotion to. But it is time to return to our discourse, from whence this tedious digression hath misled us.

All designs and negotiations, abroad and at home, being in this state and condition, the king remained under a strict and disconsolate imprisonment, no man being suffered to speak with him, and all diligence used to intercept all letters which might pass to or from him; yet he found means sometimes, by the affection and fidelity of some inhabitants of the island, to receive important advertisements from his friends; and to write to and receive letters from the queen; and so he informed her of the Scottish transaction, and of all the other hopes he had; and seemed to take much pleasure; and looked upon it as a good omen, that in that desperate lowness of his fortune, and notwithstanding all the care that was taken that none should be about him but men of most barbarous and inhuman tempers and natures, void of all reverence towards God and man, his majesty's gracious disposition and generous affability still wrought upon some soldier, or other person placed about him, to undertake and perform some offices of trust, in conveying papers to and from him. So great a force and influence had natural duty; or some desperate men had so much craft, and forecast, to lay out a little application that might bring advantage to them in such a change as they neither looked for, nor desired. For many, who did undertake to perform those offices, did not make good all they promised; which made it plain, they were permitted to get credit, that they might the more usefully betray.

In the parliament, there was no opposition or contradiction in any thing relating to the public; but in all those transactions which concerned particular persons, with reference to rewards, preferments, or matter of profit, men were considered according to the party they were of; every day those received benefit who had appeared most to adhere to the army; the notorious presbyterians were removed from all places of profit and authority, which vexed them, and



well prepared and disposed them to be ready for revenge. But the pulpit-skirmishes were higher than ever; the presbyterians, in those fields, losing nothing of their courage, having a notorious power in the city, notwithstanding the emulation of the independents, who were more learned and rational: who, though they had not so great congregations of the common people, yet infected, and were followed by, the most substantial and wealthy citizens, and by others of better condition. To these men Cromwell and most of the officers of the army adhered, with bitterness against the other. But the divinity of the time was not to be judged by the preaching, and congregations in churches, which were now thought not to be the fit and proper places for devotion and religious assemblies, where the bishops had exercised such illimited tyranny, and which had been polluted by their original consecrations. Liberty of conscience was now become the great charter; and men who were *inspired*, preached and prayed when and where they would. Cromwell himself was the greatest preacher; and most of the officers of the army, and many common soldiers, shewed their *gifts* that way. Anabaptists and quakers grew very numerous, with whom the independents concurred so far as to join with them for the utter abolishing of tithes, as of Judaical institution; which was now the patrimony of the presbyterians, and therefore prosecuted by one party, and defended by the other, with equal passion and animosity. If any man could have been at so much ease as to have beheld the prospect with delight, never was such a scene of confusion, as at this time had spread itself over the face of the whole kingdom.

During all this time, the prince remained at Paris under the government of his mother, exercised with that strictness, that though his highness was above the age of seventeen years, he never put his hat on before the queen, nor was it desired that he should meddle in any business, or be sensible of the unhappy condition the royal family was in. The assignation which was made by the court of France for the better support of the prince, was annexed to the monthly allowance given to the queen, and received by her, and distributed as she thought fit; such clothes and other necessaries provided for his highness as were thought necessary; her majesty desiring to have it thought that the prince lived entirely upon her, and that it would not consist with the dignity of the prince of Wales to be a pensioner to the king of France. Hereby none of his highness's servants had any pretence to ask money, but they were to be contented with what should be allowed to them; which was dispensed with a very sparing hand; nor was the prince himself ever master of ten pistoles to dispose as he desired. The lord Jermyn was the queen's chief officer, and governed all her receipts, and he loved plenty so well, that he would not be without it, whatever others suffered who had been more acquainted with it. All who had any relation to the prince, were to implore his aid; and the prince himself could obtain nothing but by him; which made most persons of honour of the English nation who were driven into banishment, as many of the

nobility and chief gentry of the kingdom then were, choose to make their residence in any other place, as Caen, Rouen, and the like, than in Paris, where the prince was, and could do so little: nor was this economy well liked even in France, nor the prince himself so much respected as he would have been if he had lived more like himself, and appeared more concerned in his own business.

When the marquis of Ormond came thither, he was received very graciously by the queen, and consulted with in all things, being the person most depended upon to begin to give a turn to their fortune, recommended to them by the king, and of the most universal reputation of any subject the king had. He pressed a speedy despatch, that he might pursue his designs in Ireland; where he longed to be, whilst the affairs of that kingdom were no more taken to heart by the parliament, who had yet sent no supplies thither. He informed the queen, and the lord Jermyn, of the necessity of hastening that work, which they understood well enough by the Irish commissioners; who had been there, and had been sent back with a million of promises, a coin that court always abounded with, and made most of its payments in.

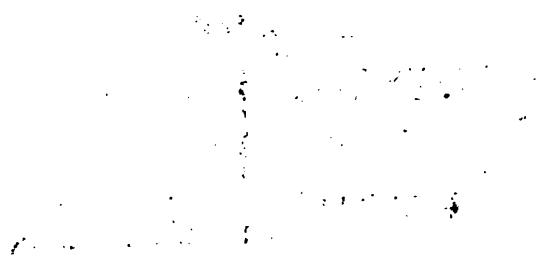
When the queen, who was as zealous for the despatch as was possible, pressed the queen regent, and the cardinal, upon it, she received [in words] all the satisfaction imaginable, and assurance that all things should be speedily provided; and when the marquis spoke first with the cardinal upon the subject, he found him well disposed; making such ample promises for a very good sum of money, and such a proportion of arms and ammunition, as could be wished. So that he thought he had no more to do, but to appoint the place for his embarkation, that those provisions might be sent thither to meet him; and that he should be ready to transport himself within a very short time; of which he gave notice to those who expected him in Ireland, and prepared all his own accommodations accordingly. But he was very much disappointed in his expectation; the cardinal was not so confident of the recovery of the king's affairs as to disoblige the parliament by contributing towards it: so that affair advanced very slowly.

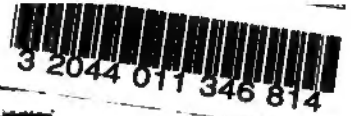
Having now, contrary to the order formerly observed by me, crowded in all the particular passages and important transactions of two whole years into this book, that I might not interrupt or discontinue the relation of the mysterious proceedings of the army, their great hypocrisy, and dissimulation, practised towards the king and his party, and then their pulling off their mask, and appearing in their natural dress of inhumanity and savageness, with the vile artifices of the Scottish commissioners to draw the king into their hands, and then their low and base compliance, and gross folly, in delivering him up, and lastly their absurd and merchandly trafficking with him for the price of returning to their allegiance, when there was no other way of preserving themselves, and their nation from being destroyed, the many woful tragedies of the next year, which filled the world with amazement and horror, must be the subject of the discourse in the next book.











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